

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
1	various	West Tower Substantial Completion Dates and Certificates of Occupancy				
2	6/5/2007	Certificate of Occupancy - Unit 312				
3	various	East Tower Substantial Completion Dates and Certificates of Occupancy				
4	9/26/2007	Laib email chain re: insurance	Greg Benson	David Laib	Bob Frew, Dale Spradlin	yes 2/17/09
5	12/14/2007	Memorandum of Mechanic's Lien - Atlas		Atlas Comfort Systems USA, LP		
6	12/28/2007	Benson letter re: Atlas Mechanic's Lien	David Laib	Greg Benson	Bridgette S. Jackson, Traveler Casualty and Surety Co of America, Satish Bhide, Dale Spradlin	yes 2/17/09
7	1/3/2008	Laib email re: Atlas Mechanic's Lien	Greg Benson	David Laib	Glen Burns, Janet McCord, Bob Frew Laib	yes 2/17/09
8		INTENTIONALLY LEFT BLANK				
9	undated	Draft Letter of Intent				
10	1/10/2008	Laib email re: Letter of Intent with Executed LOI attached	Greg Benson	David Laib		yes 2/17/09
11	1/10/2008	Balfour email re: Update on Comstock	David Laib	David Kole	Steve Smithgall, John Tarpey, Leon Blondin	
12	1/10/2008	Payment Application 37 and OCO - 41	Comstock Potomac Balfour Beatty			
13	1/11/2008	Balfour email re: Atlas Payment status	David Laib	Bill Agosti	Bob Frew, TJ Sawner, Pyard@Balfourbeattyus.com Laib	

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14	1/12/2008	Laib email re: Agreement	Greg Benson	David Laib		
15	1/14/2008	Laib email to Atlas re: Atlas summary of amounts due	Buck Cockey	David Laib	Scott Peck, Bob Frew, Bill Agosti	LA: b
16		INTENTIONALLY LEFT BLANK				
17	1/15/2008	Comstock - Balfour email chain re: Atlas liens and draft agreement	David Laib	Jubal Thompson	Greg Benson	yes 2/17/09
18	1/16/2008	Comstock - Balfour email chain re: process of payment and release of Atlas liens	Greg Benson, Jubal Thompson	David Laib		yes 2/17/09
19	1/16/2008	Balfour transmittal of list of subcontractor lien releases	TJ Sawner	Greg Benson	Alisa Wrase	yes 2/17/09
20	1/16/2008	Comstock email re: draft agreement w/ draft agreement attached	David Laib	Greg Benson	Alisa Wrase	yes 2/17/09
21	1/16/2008	Comstock-Balfour email re: process of payment and release of Atlas liens	David Laib, Greg Benson	Jubal Thompson	Alisa Wrase	yes 2/17/09
22	1/16/2008	Balfour emails re: deductive change to Atlas of \$200,000 and backcharges	David Laib, Bob Frew	Bill Agosti	TJ Sawner, Pyard <Pyard@balfourbeattyus.com>	
23	1/17/2008	Balfour email re: process of payment and release of Atlas liens	Jubal Thompson, Greg Benson	David Laib		yes 2/17/09
24		INTENTIONALLY LEFT BLANK				
25	1/17/2008	Balfour email with revisions to draft agreement w/ draft revisions attached	Greg Benson, Jubal Thompson	David Laib	Alisa Wrase, Steve Holt	yes 2/17/09
26	1/18/2008	Comstock email re: Revisions to Agreement	David Laib, Steve Holt	Alisa Wrase	Greg Benson, Jubal Thompson, Alisa Wrase	yes 2/17/09
27	1/18/2008	Comstock email re: Revisions to Agreement w/ draft revisions attached	David Laib, Steve Holt	Alisa Wrase	Greg Benson, Jubal Thompson, Alisa Wrase	yes 2/17/09

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28	1/18/2008	Balfour email re: Revisions to Agreement	Alisa Wrase, Steve Holt	David Laib	Greg Benson, Jubal Thompson, Donna M. Crowe	
29	1/20/2008	Comstock - Balfour email chain re: Revisions to Agreement	David Laib	Jubal Thompson	Greg Benson	
30	1/21/2008	Comstock - Balfour email chain re: Revisions to Agreement	Jubal Thompson	David Laib	Greg Benson, Steve Holt	
31	1/22/2008	Balfour email re: Redlined, revised agreement with draft revisions attached	Alisa Wrase, David Laib	Steve Holt	Greg Benson, Jubal Thompson	yes 2/17/09
32	1/23/2008	Balfour email re: revisions to Agreement with draft revisions attached	Jubal Thompson, Greg Benson	David Laib	Donna M. Crowe, Steve Holt	yes 2/17/09
33	1/23/2008	Comstock email re: revisions to Agreement with draft revisions attached	David Laib, Greg Benson	Jubal Thompson	Donna M. Crowe, Steve Holt	yes 2/17/09
34	1/24/2008	Balfour-Comstock email chain re: Agreement	Jubal Thompson, Greg Benson	David Laib	Donna M. Crowe, Steve Holt	
35	1/24/2008	Comstock-Balfour email chain re: Agreement	David Laib, Greg Benson	Jubal Thompson	Donna M. Crowe, Steve Holt	yes 2/17/09
36	1/24/2008	Balfour-Comstock email chain re: Agreement	Jubal Thompson, Greg Benson	David Laib	Donna M. Crowe, Steve Holt	yes 2/17/09
37		INTENTIONALLY LEFT BLANK				
38	1/25/2008	Comstock email re: revisions to Agreement with draft revisions attached and Second Modification to Corus Loan	David Laib	Jubal Thompson		yes 2/17/09
39		INTENTIONALLY LEFT BLANK				
40	1/28/2008	Balfour email re: revisions to Agreement with draft revisions attached	Jubal Thompson	David Laib	Steve Holt, Greg Benson	

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41	1/28/2008	Comstock-Balfour email chain re: Agreement	David Laib	Jubal Thompson	Steve Holt, Greg Benson	
42		INTENTIONALLY LEFT BLANK				
43	1/28/2008	Comstock email re: revisions to Agreement with draft revisions attached	David Laib	Jubal Thompson	Steve Holt, Greg Benson, Alisa Wrase, Kelly Wyche	yes 2/17/09
44	1/28/2008	Balfour email re: Comstock's Second Loan Amendment w/ draft Amendment attached	David Kole	David Laib		
45	1/29/2008	Comstock email with execution copy of Agreement and exhibits	David Laib	Kelly Wyche	Alisa Wrase, Jubal Thompson	
46	1/29/2008	Comstock-Balfour email chain attaching Exhibit E	Steve Holt	David Laib		
47	1/30/2008	Balfour-Comstock email chain re: Exhibit E to Agreement	Jubal Thompson	David Laib	Kelly Wyche, David Kole, Steve Holt, Greg Benson	yes 2/17/09
48		INTENTIONALLY LEFT BLANK				
49	1/30/2008	Comstock email re: revised Exhibit E	Jubal Thompson, David Laib	Greg Benson		
50	1/30/2008	Comstock email re: revisions to Agreement with draft revisions attached	David Laib	Jubal Thompson	Kelly Wyche	yes 2/17/09
51		INTENTIONALLY LEFT BLANK				
52	1/30/2008	Balfour email re: revisions to Agreement with draft revisions attached	Jubal Thompson	David Laib	Kelly Wyche	
53		INTENTIONALLY LEFT BLANK				
54		INTENTIONALLY LEFT BLANK				

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55	1/30/2008	Comstock email re: executed copy of Agreement w/ executed copy attached	Bob Frew, Bill Agosti	David Laib		
56		INTENTIONALLY LEFT BLANK				
57	1/30/2008	Wyche Letter re: original executed Agreement <i>9-11-09 Buss</i>			yes 2/17/09	
58		INTENTIONALLY LEFT BLANK				
59		INTENTIONALLY LEFT BLANK				
60	2/8/2008	Crowe email re: redlined draft settlement Agreement	Kavita Knowles	Donna M. Crowe	Donna M. Crowe, David Laib, Glenn Burns, Steve Holt	
61	2/11/2008	Laib email re: Cost Settlement Agreement	Buck Cockey	David Laib	Bob Frew	
62		INTENTIONALLY LEFT BLANK				
63		INTENTIONALLY LEFT BLANK				
64	2/13/2008	Agosti email re: Comstock backcharge invoice	Buck Cockey	Bill Agosti	David Laib, Bob Frew, Pyard <Pyard@balfourbeattyus.com>	
65		INTENTIONALLY LEFT BLANK				
66	2/19/2008	Laib email re: release of Atlas Lien	Greg Benson	David Laib		yes 2/17/09
67	3/12/2008	Laib email re: CCIP Owner Certificate	Jubal Thompson, Greg Benson	David Laib	Glenn Burns	
68		INTENTIONALLY LEFT BLANK				
69		INTENTIONALLY LEFT BLANK				
70		INTENTIONALLY LEFT BLANK				
71	4/2/2008	Laib letter re: Agreement requirements and Comstock financial status	Greg Benson	David Laib	Glenn Burns, David Hodnett, Jubal Thompson	
72		INTENTIONALLY LEFT BLANK				

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73		INTENTIONALLY LEFT BLANK			offered	
74	4/4/2008	Benson letter re: Lien free completion Agreement	David Laib	Greg Benson	Jubal Thompson	
75	4/9/2008	Laib letter re: Financial Information	Greg Benson	David Laib		
76	4/10/2008	Benson email re: Comstock current financials	David Laib	Greg Benson	Jubal Thompson	
77	6/20/2008	Benson letter re: lack of cooperation	Bill Agosti, TJ Sawner	David Laib		
78		INTENTIONALLY LEFT BLANK				
79	11/17/2008	Email transmitting Benson letter re: BB Payment Applications 43-44	David Laib	Kelly Wyche	Jubal Thompson, Greg Benson	
80	1/29/2009	Comstock's Amended Notice of Deposition of BB Corporate Designee				
81		BB Final Cost Report				
82		AIA Contract between Comstock and BB			9/10/09 - S. Blanche 9/14/09 - Vossler	
83	1/9/2008	Clemente email re: Lien agreement update	Michael Stein	Chris Clemente	Bruce Labovitz, Chris Clemente	
84	2/4/2008	Email chain re: Revised Draw Application Document	Shawn Paul	Anna Luncsford		
85	10/27/2008	Email chain re: Payment Applications 42-44	Dale Spradlin	Bob Frew	Ed Kidwell	yes 2/17/09
86	11/14/2009	Unit Access Log		From		yes 2/17/09
87	11/11/2008	Master Punchlist Item and Value Summary				
88		Project Specifications (Select Sections)				
89	Various	Change Orders 15 to 43 • Exh. 89A (f)			Exh. 89B - Carey	✓ 9/8/09
90		INTENTIONALLY LEFT BLANK				

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91 18/01	Various	Warner Schedule Analyses	Dan Strotman, Tom Burdenshaw, Lou Williams	Paul Brough		
92 18/01	Various	Warner Progress Verification Reports	Jubal Thompson	Paul Brough		
93	Various	OAC Meeting Minutes				
94	Various	Subcontractor Meeting Minutes				
95	March 2006 - June 2007	Balfour's Daily Reports				
96		Balfour's PFR Final/Detailed and Various Reports				
97	Various	Comstock's Project and Time Lapse Photos (provided electronically)				
98	Various	Project Status Meeting Agendas	Anderson			
99	4/17/2007	Expert Report of Mark Anderson from Warner Construction Consultants, Inc.	Anderson			
100	3/2/2009	Expert Report of Wiss, Janney, Elstner Associates, Inc.	Anderson			
101 watch out	5/15/2009	Rebuttal Expert Report of Mark Anderson from Warner Construction Consultants, Inc.	Anderson Attache & graphics used 9/18/09			
102	Various	Balfour Executive Summary of Progress				
103	Various	Deposition Exhibits from the May 20, 2009 Deposition of Bill Agosti				
104	Various	Deposition Exhibits from the May 29, 2009 Deposition of Robert Frew				

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105	Various	Deposition Exhibits from the May 27, 2009 Deposition of Michael Carey	105, 14, 16, 19, 20, (Carey)			
106	Various	Deposition Exhibits from the May 8, 2009 Deposition of Jeremy Hogg				
107	Various	Deposition Exhibits from the May 19, 2009 Deposition of Keith Dugan				
108	Various	Deposition Exhibits from the June 2, 2009 Deposition of Scott Vossler				
109	Various	Deposition Exhibits from the May 28, 2009 Deposition of David Laib				
110	Various	Deposition Exhibits from the June 5, 2009 Deposition of Balfour's Corporate Designee				
110-a	1/12/2007	Balfour Beatty Profit Analysis				
110-b	2/7/2007	Email from D. Laib to B. Frew, S. Vossler and K. Dugan re: Current Issues	Bob Frew, Scott Vossler, Keith Dugan	Jon Adams, Jim Nicolson		
110-c	2/14/2007	Letter from Comstock to Balfour re: Resolution Notice and Draft Default Letter		David Laib	Jubal Thompson	Bridgette S. Jackson, Robert Van Cleave, Glenn S. Burn, Christopher Clemente, Bruce Labovitz, Gregory V. Benson, Dan Strotman
110-d	8/3/2007	Spreadsheet re: Salaried Employees Assignment Log				

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110-e	1/22/2008	Letter from Balfour to CA International re: 72 Hour Cure Notice	David Shen	Bill Agosti	David Laib, Glenn Burns, Bob Frew	
110-f	3/25/2008	Notes re: Cabinets				
110-g	3/27/2008	Letter from Balfour to CA International re: CA International Default	David Shen	Bill Agosti	David Laib, David Hodnett, Bob Frew	
110-h	12/14/2007	Spreadsheet re: Atlas Accounting				
110-i	12/19/2007	Letter from Atlas to Balfour re: Delay Claim	David Laib	Scott Peck	Buck Cockey	
110-j	9/26/2006	Balfour Backcharge Invoice re: Scheduling Delays Associated with Initial Drywall Close-in at Levels 2 - 4 West	Ken Kilgore	Scott Peck	<i>Laib Peck</i>	
110-k	10/7/2004	Balfour Spreadsheet re: General Conditions Estimate				
110-l	4/14/2008	Balfour Spreadsheet re: Pending Matters				
111	Various	Deposition Exhibits from the June 8, 2009 Deposition of Atlas Comfort Systems, USA, LLC's Corporate Designee				
111-a	1/29/2007	Email re: No Gas, No Meters, No Temp. Heat for Floors 5-11 East Tower	Marlon Anderson	Jeremy Hogg	James Wall, Philip Alders, Scott Peck, Jody Vowell, Lee Carroll Sr, Keith Dugan, Scott Vossler Bob Frew, C. Henigin	

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111-b	2/9/2007	Email re: Plumbing Inspections on 1E Lobby and 2E Healthclub	James Wall	Jeremy Hogg	Keith Dugan, C. Henigin, Jody Vowell, Philip Alders, Lee Carroll Sr, Scott Peck, Bob Frew, Scott Vossler, Marlon Anderson	
111-c	10/10/2006	Subcontract Between Atlas Comfort Systems USA, LP and Firefox			9110109 - E. Johnston ✓	
111-d	3/24/2006	Letter re: Domestic and Fire Mains for Potomac Yard	Edwin Goyonaga-Arcena	Jeremy Hogg	Ken Kilgore, Lee Carroll, Marlon Anderson, Bob Frew, Scott Vossler, Keith Dugan	
111-e	4/20/2006	Email re: Potomac Yard Flow Test Fire Main	Jeremy Hogg	Edwin Goyonaga-Arcena	Marlon Anderson, Bob Frew, Ken Kilgore, Lee Carroll Sr	
111-f	5/8/2006	Email re: Fire Main and Fire Pump Issues	Marlon Anderson	Eric Rice-Johnston	Edwin Goyonaga-Arcena	
111-g	Various	Spreadsheet re: Sprinkler Permit Tracking				
111-h	Various	Spreadsheet re: West Tower Daily Sprinkler Head Replacement Plan			Anderson Peck	
111-i	12/4/2007	Spreadsheet re: Subcontract Accounting				Harmon

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111-j	10/15/2007	Letter re: Resolution of Outstanding Payment	David Laib	Scott Peck Peck	Buck Cockey, Ken Kligore, (BCC: David J. Butzer, McManus, Schor, Asmar, & Darden, LLP)	
111-k	9/25/2008	Spreadsheet re: Job Masterfile Listing		Anderson, Peck		
111-l	12/18/2007	Meeting Minute Notes				
111-m	2/13/2008	Backcharge Invoice re: Extended GG's and HVAC Noise Costs	Scott Peck	Bill Agosti Peck		
1112	Various	Deposition Exhibits from the June 10, 2008 Deposition of Kathleen Harmon				
1113	6/10/2005	Balfour Spreadsheet re: Cost to Complete				
1114	11/28/2005	Balfour Organization Chart	11-11-09 Laib	Mike Carey, Chris Weis, Jeremy Hogg, Kurt Maldovan,	Scott Vossler, Bob Frew, Brian Gallagher, Steve Thomas	
1115	11/29/2005	Critical Components - Coordination and QC Plan - Update	11-11-09 Laib	Dave		

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• 116	3/10/2006	Letter from Balfour to Comstock re: Schedule Update through February 28, 2006				9/8/09	✓
117	3/22/2006	Arlington County Permit Review Meeting Minutes		Dan Strotman	Michael Carey		
118	3/24/2006	Letter from Balfour to Atlas re: Domestic and Fire Mains for Potomac Yard			Edwin Goyonaga-Arcena		
• 119	3/27/2006	Letter from Comstock to Arlington County re: East and West Tower Building Permit		J.D Martin	Daniel Strotman		
120	3/27/2006	Spreadsheet re: Saturday Schedule					
121	3/27/2006	Revised Completion Schedule - Work Plan					
• 122	3/27/2006	PYR2				9/8/09	✓

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• 123	4/5/2006	Email from J. Hogg to M. Anderson re: Permit Drawings 4/5/06	Marlon Anderson	Jeremy Hogg	9/9/09 Strotman	✓
124	4/7/2006	Email from M. Carey to B. Caplan, S. DiGregorio, J. Lawyer, K. Dugan, S. Vossler, J. Johnson, S. Thomas, G. Sweet, M. Braunscheidel, D. Laib and B. Frew re: Revised Window Installation Sequence	S. DiGregorio, J. Law	Michael Carey	Keith Dugan, Scott Vossler, Jon Johnson, Steve Thomas, Gary Sweet, Mike Braunscheidel, David Laib, Bob Frew	
125	4/10/2006	Email from K. Weierstall and J. Hogg and S. Vossler re: Building Permit	Jeremy Hogg, Scott Vossler	Kurt Weierstall	Dan Strotman	
126	4/10/2006	Spreadsheet re: Original Schedule Mileposts v. Current / Revised Mileposts Comparisons				
127	4/12/2006	Schedule Resolution Meeting Notes				
128	4/14/2006	Letter from Atlas to J. Hogg re: Arlington County Permit Comments dated March 22, 2006	Jeremy Hogg	Marlon Anderson		
129	4/17/2006	Email from J. Hogg to M. Anderson re: Permit Drawings	Marlon Anderson	Jeremy Hogg		
130	4/19/2006	Skin Trades Meeting Agenda				
131	5/16/2006	Email from K. Dugan to M. Anderson re: Lack of Sprinkler Installation at Units	Marlon Anderson	Keith Dugan	Jeremy Hogg, Scott Vossler, Bob Frew	
132	5/22/2006	Fax from RAMCO to Comstock re: "Full" Building Permit	Kurt Weierstall	Betsy Stagg	9/9/09 Strotman	✓
133	5/22/2006	Balfour Contract Change - Draft Revised				

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134	5/26/2006	Letter from Balfour to Fairfax Glass re: Missing Frames	Bob Caplan	Keith Dugan	Bob Frew, Scott Vossler	
135	5/30/2006	Letter from M. Carey to D. Strotman re: June 1 Schedule Update	Dan Strotman	Michael Carey	Kurt Weierstall, Lou Williams, Chuck Malacarne, David Laib, Bob Frew, Scott Vossler, Keith Dugan, Steve Thomas, Gary Sweet, Jon Johnson, Chris Henigin, Fernando Prudencio, Andy Fiebig, Chris Weis, Tommy Gallagher, Jeremy Hogg, Paul Brough, Jose Guevara	
136		Intentionally Left Blank				
137	6/16/2006	Email from M. Carey to B. Frew re: Improved Schedule Change Order	Bob Frew	Mike Carey		
•138	6/22/2006	Fax from RAMCO to Comstock re: Full Building Permit	Kurt & Dan	Betsy Stagg		
139	6/27/2006	Letter from Comstock to Balfour re: PY19 Schedule Update	David Laib	Lou Williams	Bill Bensten, Chuck Malacarne, Dan Strotman	
•140	6/27/2006	Email from K. Dugan to C. Henigin re: West Tower HVAC Permit	Chris Henigin	Keith Dugan		

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141	7/17/2006	Email from K. Dugan to B. Davis re: Potomac Yard Inspections 5th Floor	Bob Davis	Keith Dugan	Bob Frew, Jeremy Hogg, Lee Carroll Sr	
142	7/18/2006	Letter from Balfour to Comstock re: Py 19 Update	Lou Williams	Bob Frew	David Laib, Scott Vossler, Keith Dugan, Mike Carey, Dan Strotman, Chuck Malacarne	
• 143	7/26/2006	Letter from Comstock to Balfour re: Schedule Recovery Plan	Bob Frew	Lou Williams	David Laib, Greg Benson, Bill Bensten, Chuck Malacarne, Dan Strotman	<i>9/8/09</i>
144	7/31/2006	Email from B. Caplan to SC Glass re: Project Staffing	Scglass@planttel.net	Bob Caplan		
145	8/10/2006	Fax from Balfour to Atlas re: Notice of Delay	Ken Kilgore	Scott Vossler	Edwin Goyonaga-Arcena, Lee Carroll, Marlon Anderson	
• 146	8/10/2006	Minutes re: Steve Smithgall Tour	David Laib	Charles Malacarne		<i>9/8/09</i>
147	8/11/2006	Letter from Comstock to Balfour re: Completion Dates for the Potomac Yard Project			Bob Frew, Scott Vossler, Lou Williams, Dan Strotman	
148	8/22/2006	Email from S. Thomas to S. Vossler and J. Hogg re: Atlas Behind Schedule	Scott Vossler, Jeremy Hogg, Steve Thomas		Keith Dugan, Fernando Prudencio, Chris Henigin, Mark	

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• 149 A	8/22/2006	Email from L. Williams to J. Tarpey, S. Smithgall, D. Laib, B. Frew and S. Vossler re: Revised Times of Completion/Interim Milestones	John P. Tarpey, Steven R. Smithgall, David Laib, Bob Frew, Scott Vossler	Lou Williams	Greg Benson, Bill Bensten, Chuck Malacarne, Dan Strotman	✓ 9/2/07
150	8/25/2006	Notes re: Meeting with Arlington County				
• 151	8/28/2006	Letter from Balfour to Atlas re: Drywall Progress Stopped on Five West	Marion Anderson	Jeremy Hogg	Bob Davis, Ken Kilgore, Lee Carroll, Keith Dugan, Fernando Prudencio	
152	8/30/2006	Notes from Meeting with Atlas				
153	9/2/2006	Email from C. Malacarne to L. Williams re: Saturday September 2nd	Lou Williams	Kurt Weierstall	Chuck Malacarne, Dan Strotman, Bob Cook	
154	9/5/2006	Fax and letter from Balfour to Fairfax re: Notice of Delay and Damages	Bob Caplan	Michael Carey		
155	9/7/2006	Notes from Meeting with JD Martin				
156	9/12/2006	Letter from Comstock to Balfour re: Revised Times of Completion	David Laib	Jubal Thompson		
157	9/14/2006	Email from B. Caplan to SC Glass re: Project Staffing	Scglass@planttel.net	Bob Caplan		
• 158	9/18/2006	Email from D. Laib to S. Vossler re: Pending Matters - August 2006	Scott Vossler	David Laib		

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159	10/6/2006	Email from Lou Williams to B. Bensten, C. Malacarne, D. Strotman and C. Winn re: Updated Weekly Progress	Bill Bensten, Chuck Malacarne, Dan Strotman, Christina Winn	Lou Williams	Nicole Anzilotti 9/8/09	✓
160	10/16/2006	Email from D. Strotman to B. Frew re: Core & Shell Occupancy Permit Schedule	Bob Frew	Dan Strotman	Lou Williams, Chuck Malacarne, Bob Cook, Kurt Weierstall, Keith Dugan, David Laib	
161	10/17/2006	Email from K. Dugan to S. Thomas, M. Braunscheidel, M. Kitzinger and F. Prudencio re: Core & Shell Occupancy Permit Schedule	Steve Thomas, Mike Braunscheidel, Mark Kitzinger, Fernando Prudencio	Keith Dugan		
162	10/19/2006	Email from B. Caplan to SC Glass re: Project Staffing	Scglass@planttel.net	Bob Caplan		
163	10/26/2006	Email from K. Dugan to M. Anderson re: HVAC Lack of Progress on West Tower	Marlon Anderson	Keith Dugan	Bob Frew, Jeremy Hogg, Joe Long, James Wall, M. Kitzinger, Scott Vossler, Tom Weiser	
164	10/30/2006	Email and letter from B. Caplan to SC Glass re: Project Staffing	Scglass@planttel.net	Bob Caplan		
165	10/30/2006	Letter from Comstock to Balfour re: Outstanding Issues	David Laib	Jubal Thompson	Greg Benson, Bill Bensten, Dan Strotman	

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<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Opposed CC'd</u>	<u>Admitted Y/N</u>
166	11/3/2006	Email from D. Kole to J. Tarpey, S. Smithgall, D. Laib, D. Salzer and M. Phillips re: Comstock Default Notices in WSJ	John P. Tarpey, Steven R. Smithgall, David Laib, Dave Salzer, M. Phillips	David Kole	D. Birtwistle, B. McIntosh, Leon Blondin, Glen Burns	
167	11/14/2006	Email from K. Dugan to F. Prudencio and M. Kitzinger re: Painting in Units on 4th Floor	Fernando Prudencio, Mark Kitzinger	Keith Dugan		
168	11/15/2006	Email from B. Frew to M. Anderson re: Façade Louvers and Vents	Marlon Anderson	Bob Frew	Joshua Garcia, Jeremy Hogg, Ken Kilgore, Lee Carroll Sr, Nate Mayo, Scott Vossler, Wayne Gillespie, Keith Dugan	
169	11/22/2006	Email from B. Frew to J. Vowell, T. Weiser, M. Hubbard, L. Carroll and M. Anderson re: Re-Hydro for Floors 2, 3, and 4	Jody Vowell, T. Weiser, Mike Hubbard, Lee Carroll Sr, Marlon Anderson	Bob Frew	Mike Carey, Steve Thomas, Andy Fiebig, Scott Vossler	
170	11/22/2006	Email from D. Strotman to B. Frew re: Core & Shell Substantial Completion	Bob Frew	Dan Strotman	9/20/09 Strotman David Laib, Greg Benson, Chuck Malacarne	
171	12/12/2006	Email from K. Dugan to D. Laib re: Draft Revised Staff Projections	David Laib	Keith Dugan	Bob Frew, Mike Carey, Scott Vossler	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
172	1/19/2007	Email from B. Frew to D. Martin re: CO's at the Eclipse	Dan Martin	Bob Frew	David Howell, Dan Strotman, Greg Benson, Mark Kitzinger, Scott Vossler, Keith Dugan	
173	1/31/2007	Letter from Comstock to Balfour re: Notice Pursuant to General Conditions Section 4.4	David Laib	Greg Benson	Bridgette S. Jackson, Glenn S. Burn, Robert C. Van Cleave, Jubal Thompson, Dan Strotman	9110101-Ex_Benson
174	2/14/2007	Letter from Comstock to Balfour re: Resolution Notice and Draft Default Letter	David Laib	Jubal Thompson	Bridgette S. Jackson, Robert C. Van Cleave, Glenn S. Burn, Christopher Clemente, Bruce Labowitz, Greg Benson, Dan Strotman	
175	2/21/2007	Letter from Balfour to Floors, Inc. re: 24 Hour Notice to Adequately Staff & Perform Punchlist Work	Brian Seaton	Scott Vossler	Keith Dugan, Steve Thomas, Mark Kitzinger, David Laib, Bob Frew, Chris Weis, TJ Sawner	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
176	2/21/2007	Letter from Balfour to CA International re: 24 Hour Notice to Adequately Staff & Perform Punchlist Work	Kyle Clemmetson	Scott Vossler	Keith Dugan, Steve Thomas, Mark Kitzinger, David Laib, Bob Frew, Chris Weis, TJ Sawner	
177	2/25/2007	Letter of Understanding Between Comstock and Balfour		Greg Benson		
178	4/18/2007	Email from L. Carroll to K. Kilgore re: Personnel Change	Ken Kilgore	Lee Carroll Sr	Scott Peck, Marlon Anderson, Jody Vowell	
179	4/26/2007	Email from K. Kilgore to S. Peck and M. Graziani re: Notes from 4/25/07 Meeting	Scott Peck, Michael Graziani	Ken Kilgore	Carroll Lee Sr, Jody Vowell, Tom Weiser, Michael Henry, Marlon Anderson, Mark Duncan, Mike Hubbard, Brian Dean, Todd Clark, Terry Armstrong, Rachlen Wayne, Raymond Kelley, Tom Tanner	
180	5/8/2007	Email from K. Dugan to C. Henigin, M. Kitzinger and F. Prudencio re: 2nd and 4th Floor Sprinkler Corrections	Chris Henigin, Fernando Prudencio	Keith Dugan	Mike Hubbard, Marlon Anderson	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
181	5/10/2007	Email from K. Dugan to M. Graziani re: Sprinkler Heads Punchlist	Michael Graziani	Keith Dugan	Bob Frew, Jeremy Hogg, Mark Duncan, Marlon Anderson, Mike Hubbard	
182	7/2/2007	Letter from Balfour to CA International re: Notice of Intent to Backcharge - Cabinet Punchlist Work	Kyle Clemetson	TJ Sawner		
183	8/10/2007	Letter from Comstock to Balfour re: Notice Pursuant to General Conditions Section 2.4.1	David Laib	Greg Benson	910109 - G.Benson Ed Kidwell	
184	8/14/2007	Letter from Balfour to Comstock re: Acceleration Costs - Part 6 - Flooring Damage Repairs	Ed Kidwell	Bill Agosti		
185	8/21/2007	Letter from Comstock to Balfour re: Punch List for East and West Exterior	David Laib	Greg Benson	910109 - G.Benson Ed Kidwell	
186	8/24/2007	Letter from DCS to Comstock re: Application for Payment #33 and OCO #35	Greg Benson	Satish Bhide	Doug Carter	
187	9/7/2007	Letter from Comstock to Balfour re: Preparation of Punchlists, Partial Payment of Request and Notice of Claims	David Laib	Greg Benson	910109 - G.Benson Bridgette S. Jackson, Satish Bhide, Ed Kidwell	
188		Intentionally Left Blank				
189	9/17/2007	Email from B. Agosti to C. Anderson re: Cost Projection	Colleen Anderson	Bill Agosti	Bob Frew	910109 - S.Bhide John Tarpey, Steve Smithgall,
190	10/2/2007	Email from D. Laib to D. Carter re: Requisition #34	Doug Carter	David Laib	Bob Frew	✓

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Clerk</u> <i>Offered</i>	<u>Admitted Y/N</u>
191	10/3/2007	Letter from Balfour to DCS re: Application for Payment #34	Satish Bhide	Bob Frew		Greg Benson, Dale Spradlin, Ed Kidwell, Doug Carter, David Laib, Bill Agosti, Keith Dugan
192	10/5/2007	Notice of Intent to File a Lien from Atlas Comfort Systems USA, LP	The Owner or Reputed Owner Comstock Potomac Yard LC	Wayne Rachlen		✓ 9/8/09
193	10/11/2007	Email from D. Laib to K. Kilgore, J. Vowell re: Notice of Lien	Ken Kilgore, jody Vowell	David Laib	Bob Frew, Bill Agosti, Glenn Burns	✓ 10/10/09 - G. Benson
194	10/15/2007	Email from G. Benson to B. Agosti and D. Laib re: Response to PY Substantial Completion Request	Bill Agosti, David Laib	Greg Benson	Alisa Wrase, Dale Spradlin	
195	10/22/2007	Letter from Comstock to Balfour re: Notice of Lien from Atlas Comfort Systems USA, LP	David Laib	Greg Benson	Bridgette S. Jackson, Satish Bhide, Dale Spradlin	✓ 9/8/09
196	12/14/2007	Memorandum of Mechanic's Lien	Fernando Prudencio	Keith Dugan		
197	12/14/2007	Email from K. Dugan to F. Prudencio re: Cabinet & Glass Number of Units	Comstock Potomac Yard LC, Balfour Beatty Construction	Kavita S. Knowles		
198	12/27/2007	Notice of Mechanics Lien by Atlas Comfort Systems	David Laib	Greg Benson	Bridgette S. Jackson, Satish Bhide, Dale Spradlin	
199	12/28/2007	Letter from Comstock to Balfour re: Memorandum of Mechanic's Lien Filed by Atlas Comfort Systems USA, LP	David Laib	Greg Benson	Bridgette S. Jackson, Satish Bhide, Dale Spradlin	

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<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
200	1/4/2008	Email from D. Laib to J. McCord re: Mechanic's Lien Filed by Atlas Comfort Systems USA, LP	Janet McCord	David Laib	Bob Frew	
201	1/10/2008	Letter of Intent to Enter into a Binding Amendment to the Existing Agreement as Amended		David Laib		
202	1/30/2008	Agreement between Comstock Potomac Yard, LC and Balfour Beatty LLC		David Laib		
203	2/14/2008	Balfour Spreadsheet Prospect Payment Status				
204	2/22/2008	Change Order #18 to Imperial Stone Paving, Inc. re: Unit Pavers	Imperial Stone Paving	Bill Agosti		
205	2/29/2008	Balfour Spreadsheet re: Unit Status - 9-11-09 Benson, Harmon - 9-16-09				
206	3/21/2008	Balfour Spreadsheet re: CA International Payment Status				
207	3/24/2008	Balfour Spreadsheet re: Close-Out Summary Log	Laib			
208	3/27/2008	Letter from DCS to Comstock re: Resolution of Outstanding Items	Greg Benson	Douglas N. Carter		
209	4/30/2008	Email from D. Laib to K. Clemetson re: CA International Punchlist	Kyle Clemetson	David Laib	David Shen, Bob Frew, Bill Agosti, TJ Sawner, David Hodnett, Beverly Hill	
210	6/2/2008	Email from B. Frew to D. Spradlin and M. Slacin re: OCO 43 - Sprinkler Head Replacements	Dale Spradlin, Mark Slacin	Bob Frew		

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
211	6/9/2008	Email from B. Agosti to C. Anderson re: CA International Subguard Claim	Colleen Anderson	Catherine Coonfield	Bob Frew, Beverly Hill, Jason Neill, TJ Sawner, Pyard <Pyard@balfourbeattyus.com>	
212	6/16/2008	Balfour Beatty Abbreviated Subcontract Agreement with American Cabinet Refacers				
213	6/19/2008	Letter from Comstock to Balfour re: Punchlist and Warranty Work	David Laib	Greg Benson	জ্বাতার্য-ক্রিস্টার্য Jubal Thompson, Ed Kidwell	
214	6/27/2008	Email from D. Laib to B. Frew re: CA International Punchlist	Bob Frew	David Laib		
215	7/2/2008	Email from B. Agosti to D. Shen, K. Clemetson and D. Shen re: CA International Open Punchlist Items	David Shen, Kyle Clemetson, Daniel Shen	Bob Frew, TJ Sawner, Jason Neill, Beverly Hill, Pyard <Pyard@balfourbeattyus.com>		
216	7/9/2008	Email from D. Laib to T. Miller re: July 8 MP and Acoustic Meeting	Tom Miller	David Laib	Richard Ryan	
217	7/10/2008	Email from D. Kole to D. Laib and D. Hodnett re: Comstock Shares to 19 cents	David Laib, David Hodnett	David Kole	John Tarpey, Steve Smithgall, Bob Frew, Leon Blondin, Glenn Burns	
218	7/10/2008	Warranty/Open Issues Meeting Notes				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'd</u>	<u>Admitted Y/N</u>
219	7/11/2008	Email from B. Agosti to T. Sawner re: OAC Meeting Notes	TJ Sawner	Bill Agosti	<i>Attalaon-G. Benson</i> Pyard <Pyard@balfourbeattyus.com>	
220	8/1/2008	Letter from Comstock Companies to Comstock Pottomac Yard re: Memorandum of Mechanic's Lien Claimed by General Contractor on Commercial Units No. 1-5	Comstock Pottomac Yard LC	Phil London	Comstock Retail Partners LLC	
221	8/12/2008	Letter from Comstock to Balfour re: Lien Free Completion Agreement	David Laib	Greg Benson	Bridgette S. Jackson, John Tarpey, David Hodnett	
222	8/28/2008	Letter from Balfour to Comstock re: Stop Work	Greg Benson	David Laib	Christopher Clemente, Jubal Thompson, David Hodnett	
223	9/4/2008	Letter from Comstock to Balfour re: Default and Cure of the Lien Free Completion Agreement	David Laib	Greg Benson	Bridgette S. Jackson, John Tarpey, David Hodnett	
224	9/5/2008	Letter from Comstock to Balfour re: Owner's Exercise of Right to Correct Deficiencies and Perform Work under the Contract Documents	David Laib	Greg Benson	Bridgette S. Jackson, John Tarpey, David Hodnett	
225	11/17/2008	Email and letter to D. Laib re: Application for Payment #43-44	David Laib	Kelly Wyche	Jubal Thompson, Greg Benson	
226	1/15/2009	Letter from Comstock Companies to Comstock Pottomac Yard re: Civil Action No. 1:08-CV-894	Greg Benson, Jubal Thompson	Phil London	Comstock Retail Partners LLC	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Opposed CC'd</u>	<u>Admitted Y/N</u>
227	1/21/2009	Letter from Balfour to CA International re: CA International Default	David Shen	David Hodnett	✓	David Laib, Bob Frew, Shelly Ewald
228	1/21/2009	Letter from Balfour to Atlas re: Lawsuit Initiated by Comstock	Buck Cockey	David Hodnett	✓	David Laib, Bob Frew, Shelly Ewald Laib
229	2/15/2008	Project Close-Out Book			✓	9/9/09 Book
230	Various	Unit Inspection Matrices	Lou Williams	Dan Strotman	✓	9/10/09 - G. Benson Chuck Malacarne
231	N/A	Comstock Computation of Liquidated Damages			✓	9/9/09 - G. Benson
232	N/A	Summary of third-party invoices relating to expenses incurred by Comstock to third parties for repairing and/or completing Balfour's defective, incomplete and/or abandoned work			✓	9/10/09 Kidwell
233	N/A	Summary of expenses incurred by Comstock for repairing and/or completing Balfour's defective, incomplete and/or abandoned work - i.e. owner-performed work			✓	9/10/09 - G. Benson
234	N/A	Summary of Punchlist items and warranty items, along with values - i.e. Comstock's estimated additional costs			✓	9/10/09 - E. Kidwell

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Offered:</u>	<u>Admitted Y/N</u>
235	11/22/2004	Construction Loan Agreement between Comstock Potomac Yard, L.C. and Corus Bank, N.A.				
236	8/1/2008	Letter from Comstock Companies to Comstock Potomac Yard, L.C. (re: notice of Owner's intent to seek indemnification from Comstock Potomac Yard, L.C.)	Greg Benson, Jubal Thompson	Phil London	✓	Comstock Retail Partners LLC
• 237	8/14/2008	Loan Agreement between Comstock Potomac Yard, L.C. and KeyBank National Association			✓	9/8/09
• 238	12/3/2008	Letter from KeyBank National Association to Comstock Potomac Yard, L.C. (re: notice of indemnification)	Christopher Clemente	Jennifer Wells	✓	William F. Timmons, Brian T. Holmes, Jubal Thompson
239	1/15/2009	Letter from Comstock Companies to Comstock Potomac Yard, L.C. (re: Owner's demand that Comstock pay cash bond)	Greg Benson, Jubal Thompson	Phil London	✓	Comstock Retail Partners LLC
• 240	Various	Invoices from Quagliano & Seeger, P.C. (fees incurred by Comstock in defending Balfour Liens)	Alisa Wrase	Q&S	✓	Offered 9/8/09
• 241	3/26/2009	Letter from McKenna Long and Aldridge to Comstock and referenced invoice from McGuire Woods dated 12/29/08 (fees incurred by Comstock in defending Balfour Liens)	Bruce Labovitz	William F. Timmons	✓	Dan Silbert 9/8/09

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<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Offical:</u>	<u>Admitted Y/N</u>
242	3/28/2009	Invoice from Debra Fitzgerald O'Connell, PLC, on behalf of Board of Directors of Unit Owners Association (fees incurred by Comstock in defending Balfour Liens)	Alisa Wrase	Debra Fitzgerald-O'Connell, PLC	✓	9/8/09
243	Various	Miles & Stockbridge, P.C. Billing Information Memo and Bill and Payment Report setting forth legal fees and expenses incurred on behalf of the title insurance companies (fees incurred by Comstock in defending the Balfour Liens)		Miles & Stockbridge P.C.	✓	9/8/09
244	Various	Invoices and correspondence from McKenna Long & Aldridge for services provided on behalf of Key Bank (fees incurred by Comstock in defending the Balfour Liens)	Bruce Labovitz	McKenna Long & Aldridge	✓	9/8/09
245	1/29/2009	Letter Agreement between Comstock Potomac Yard, L.C., Market Square at Potomac Yard I, L.C., Market Square at Potomac Yard II, LC and Comstock Retail Partners I, LC re: payment in the amount of \$75,592.89 for bonding over Balfour Liens (fees incurred by Comstock in defending the Balfour Liens)	Phil London	Greg Benson, Beau Schweikert,		

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<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Entered Offered</u>	<u>Admitted Y/N</u>
246	N/A	Summary of cash escrow payments made by Comstock and required in connection with sales of new units (fees incurred by Comstock in defending the Balfour Liens)				
247	4/20/2007	First Amendment and Modification to Construction Loan Agreement between Comstock Potomac Yard, L.C. and Corus Bank, N.A.				
• 248	1/31/2008	Second Amendment and Modification to Construction Loan Agreement between Comstock Potomac Yard, L.C. and Corus Bank, N.A.			9/8/09	
• 249	2/22/2008	Settlement Statement – Bridge Loan from Stonehenge Funding, LC			9/8/09	
• 250	3/13/2008	Letter from Corus Bank, N.A. to Premier Title, Inc. (noting legal fees in the amount of \$8,844)		Amy Headlee	9/8/09	
• 251	3/14/2008	KeyBank National Association Loan Closing Statement		David Krischke	9/8/09	
• 252	3/14/2008	Agreement Regarding Fees between KeyBank National Association and Comstock Potomac Yard, L.C. and Comstock Station View, L.C.			9/8/09	
• 253	Various	List of Unit Cancellations from December 2007 (including sales price, cancel date and payoff), along with associated documents, including Sales Agreements			9/8/09	✓

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
254	7/18/2005	Email from Hogg to P. Doherty re P2 Overhead and P1 Sleeve Designs	Paul Doherty, Al Ord	Jeremy Hogg	Lee Carroll, Bob Frew, Brian Gallagher, Mike Carey, Scott Vossler, Steve Thomas, Bradd Heckenberg	
255	8/5/2005	Email from J. Hogg to N. Behrouz re:P1 & Plaza Sleeves	Behrouz Nejad,	Jeremy Hogg	thakkar@atlascusa.com, Paul Doherty	
256	8/8/2005	Subcontract between Balfour and Atlas				
257	1/25/2006	Letter from Balfour to Atlas re: Unit Mechanical Louver Issues	Edwin Goyonaga-Arcena	Scott Vossler	Lee Carroll, Marlon Anderson, Bob Frew, Brian Gallagher, David Laib Mike Carey, Steve Thomas, Bob Cook, Daniel L. Stotman, Kurt Weierstall, Davis Carter Scott, Akira Watanabe, Amanuel Ghebremedhin, Satish Bhide	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
258	1/31/2006	Letter from Balfour to Atlas re: Design Document Completion	Marlon Anderson	Jeremy Hogg	Ken Kilgore, Lee Carroll Sr, Bob Frew, Scott Vossler	
259	2/15/2006	Email from J. Hogg to L. Carroll re: Unit Mechanical Layouts - Overhead Coordination Drawings	Lee Carroll Sr	Jeremy Hogg	A. Hasan, Marlon Anderson, Bob Frew, Scott Vossler	
260	5/16/2006	Email from K. Dugan to S. Vossler re: Lack of Sprinkler Installation at Units	Scott Vossler	Keith Dugan	Marlon Anderson, Jeremy Hogg, Bob Frew, Chris Henigin, Steven Hogg	
261	6/20/2006	Letter from Balfour to Atlas re: Backcharge to Atlas - Sealing Penetrations	Marlon Anderson	Scott Vossler	Lee Carrol, Keith Dugan, Steve Thomas, Chris Henigin, Jeremy Hogg	Dugan
262	6/27/2006	Email from J. Hogg to M. Anderson re: P# 00221 - CCB# 46 and Field Supervision Issues	Marlon Anderson	Jeremy Hogg	Bob Frew, Bob Davis, Chris Hegin	Anderson
263	6/28/2006	Email from S. Thomas to M. Anderson and B. Davis re: Coring/Penetrations through Foundation Walls	Marlon Anderson, Bob Davis	Steve Thomas	Keith Dugan, Chris Henigin, Gary Sweet, Mike	
264	6/28/2006	Letter from Balfour to Atlas re: P#0264: Notice of Intent to Backcharge - Damaged Elevator Controllers	Marlon Anderson	Jeremy Hogg	Bob Davis, Ken Kilgore, Lee Carroll, Bob Frew, Scott Vossler	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
265	7/5/2006	Letter from Balfour to Atlas re: P# 0264 - Damaged Elevator Equipment	Anderson	Marlon Anderson	Jeremy Hogg	Bob Davis, Ken Kilgore, Lee Carroll, Bob Frew, Scott Vossler
266	7/26/2006	Email from J. Hogg to M. Anderson re: P# 0264 - Flood Damage in Garage				Scott Vossler, Keith Dugan
267	8/10/2006	Email from J. Keene to D. Laib, B. Frew and K. Dugan re: Atlas - Notice of Delay		David Laib, Bob Frew, Keith Dugan, Jeremy Hogg,	Vossler Scott Vossler	
268	8/12/2006	Email from C. Henigin to K. Dugan re: No Supervision for Atlas Workers on Site 8-12-06	Dugan	Keith Dugan	Chris Henigin	Scott Vossler, Jeremy Hogg
269	8/14/2006	Email from K. Dugan to D. Laib re: Atlas 1st Floor East Inspection Rejection		David Laib	Keith Dugan	Anderson
270	8/15/2006	Email from K. Dugan to S. Thomas re: West Tower Lobby Plumbing for Restrooms and Kitchen		Thomas Steve	Keith Dugan	Anderson
271	8/19/2006	Email from K. Dugan to M. Anderson and B. Davis re: Items Not Complete		Marlon Anderson, Bob Davis	Keith Dugan	Jeremy Hogg, Scott Vossler, Bob Frew

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
272	8/22/2006	Email from S. Vossler to K. Kilgore re: Atlas Behind Schedule	Ken Kilgore	Scott Vossler	Keith Dugan, Fernando Prudencio, Chris Henigin, Mark Kitzinger, Bob Frew, David Laib, Jeremy Hogg, Lee Carroll Sr	
273	8/23/2006	Email from C. Henigin to S. Vossler re: Atlas Behind on Rough-in East Tower	Scott Vossler	Anderson Chris Henigin	Keith Dugan, Jeremy Hogg, Steve Thomas	
274	8/30/2006	Email from S. Vossler to M. Anderson re: Atlas Issues	Lee Carroll Sr	Bob Frew	Marlon Anderson, David Laib, Jeremy Hogg, Jody Vowell	
275	8/30/2006	Email from B. Frew to L. Carroll re: Sprinkler Drawings from Houston	Marlon Anderson	Scott Vossler	Chris Henigin, Jeremy Hogg, Keith Dugan, Bob Frew	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
276	10/11/2006	Letter from Balfour to Atlas re: Notice of Intent to Backcharge: Atlas Items to be Addressed	Anderson Marlon Anderson	Jeremy Hogg	Jody Vowell, Ken Kilgore, Lee Carroll, Bob Frew, David Laib, Scott Vossler	
277	10/26/2006	Email from B. Frew to M. Anderson, J. Vowell, M. Hubbard and L. Carroll re: Atlas Nonperformance	Marlon Anderson, Jody Vowell, Mike Hubbard, Lee Carroll Sr	Bob Frew	Keith Dugan, Mark Kitzinger, Steve Thomas, Jeremy Hogg, Fernando Prudencio, Scott Vossler	
278	11/8/2006	Email from K. Clemetson to S. Vossler and B. Frew re: Water Damage	Scott Vossler, Bob Fyle Clemetson	Keith Dugan, David Shen		
279	2/5/2007	Email from M. Anderson to K. Kilgore re: Backcharge to Atlas - Floor from 610 to 510 & 410	Anderson Marlon Anderson	Ken Kilgore	Mark Power, Lee Carroll Sr, Scott Peck, Jody Vowell, Rusty Bay	
280	2/8/2007	Email from J. Hogg to J. Wall re: P#0297- Stained 2nd Floor Granite Lavatory Tops	James Wall	Jeremy Hogg	Scott Peck, Marlon Anderson, Lee Carroll Sr, Keith Dugan, Scott Vossler, Bob Frew, Chris Weis, TJ Sawner	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'd</u>	<u>Admitted Y/N</u>
281	3/1/2007	Email from B. Frew to J. Hogg re: Failed Plumbing Inspections	<i>Anderson</i> Bob Frew	Jeremy Hogg	A. Hasan, Marlon Anderson, Chris Henigin, Jody Vowell, James Wall, Keith Dugan, Ken Kilgore, Lee Carroll Sr, Scott Peck, Scott Vossler	
282	3/6/2007	Letter from Atlas to Balfour re: HVAC Noise in Apartments		Marlon Anderson		
283	3/14/2007	Letter from Atlas to Balfour re: Hydronic Noises	<i>Peck</i> Scott Vossler	Scott Vossler		
284	3/16/2007	Letter from Balfour to Atlas re: Backcharge to Atlas - Water Leak Damage to Stored Cabinets on P1	<i>Anderson</i> Marion Anderson	TJ Sawyer		
285	4/4/2007	Letter from Atlas to Balfour re: Hydronic Noises in Units 218 and 318	<i>Peck</i> Bob Frew	Bob Frew	Scott Peck	
286	4/16/2007	Email from B. Frew to S. Peck, M. Anderson L. Carroll and J. Vowell re: Sat Work Force	<i>Anderson</i> Anderson, Lee Carroll Sr, Jody Vowell	Bob Frew	Chris Henigin, Keith Dugan, Jeremy Hogg	
287	5/3/2007	Email from K. Dugan to M. Graziani re: Lobby Area	<i>Anderson</i> Keith Dugan	Michael Graziani	Marlon Anderson	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
288	6/28/2007	Email from B. Agosti to M. Graziani and S. Peck re: Atlas Backcharges/Extra's Review Summary	Michael Graziani	Bill Agosti	Bob Frew, Keith Dugan, Chris Henigin, TJ Sawner, Tommy Gallagher, ccfpotomacemail@balfourbeatty.us.com	
289	7/2/2007	Email from D. Laib to B. Agosti re: Atlas	Bill Agosti	David Laib	Bob Frew, Tommy Gallagher, TJ Sawner	
290	8/10/2007	Backcharge Invoice to Atlas re: East Tower Misc. Flooring Damage	Michael Graziani	Balfour Beatty	<i>Anderson Rekt</i>	
291	8/16/2007	Email from K. Mohr to B. Agosti re: ESI Letter	Bill Agosti	Kevin Mohr	Anderson	
292	10/12/2007	Backcharge Invoice to Atlas re: Misc. Flooring Part 3	Michael Graziani	Balfour Beatty	<i>Anderson Rekt</i>	
293	10/12/2007	Backcharge Invoice to Atlas re: Damaged Flooring	Michael Graziani	Balfour Beatty	<i>Anderson Rekt</i>	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
294	Various	DiGregorio Change Orders #34, 37, 44, 45, 46, 49, 50, 51, 52, 53, 54 and 55	S. DiGregorio	Bill Agosti		
295	6/12/2008	Spreadsheet re: Change Order Status Summary		Anderson Pek		
296	2/14/2008	Cost Settlement Agreement between Balfour Beatty and Atlas		Lao: b		
297	Various	Critical Issue List		Anderson		
298	8/23/2006	Email from D. Strotman to K. Clemetson and D. Shen re: Revised Delivery Shchedule for Landbay Project	Kyle Clemetson	Dan Strotman	Lou Williams, Scott Vossler, Chuck Malacarne, Kurt Weierstall, Bob Frew, David Laib, David Shen	
299	9/18/2006	Email from B. Frew to K. Clemetson, S. Vossler and D. Shen re: Cabinet Installation	Kyle Clemetson, Scott Vossler, David Shen	Bob Frew	Keith Dugan	
300	10/16/2006	Email from K. Clemetson to S. Vossler re: Level 2 West Cabinet/ Top Issues	Scott Vossler	Kyle Clemetson		
301	1/24/2007	Email from S. Vossler to K. Clemetson re: Cabinet Installation on 11th Floor	Kyle Clemetson	Scott Vossler	Bob Frew, TJ Sawner, David Shen, David Laib	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
302	2/8/2007	Email from S.Vossler re: Cabinet and Countertop Timeline	Mike Carey, Jeremy Hogg, Bob Frew, Keith Dugan, David Laib	Scott Vossler	Charles Choyce	
303	3/5/2007	Letter from Balfour Beatty to CA International re: 24 Hour Notice to Adequately Staff & Perform Punchlist Work	Kyle Clemetson	Scott Vossler	Keith Dugan, Steve Thomas, Mark Kitzinger, David Laib, Bob Frew, Chris Weis, TJ Sawner	
304	5/21/2007	Email from K. Clemetson to B. Frew, K. Dugan and T. Sawner re: Replacement granite due to damage	Bob Frew, Keith Dugan, TJ Sawner	Kyle Clemetson		
305	5/21/2007	Email from K. Clemetson to B. Frew, K. Dugan and T. Sawner re: Last Replacement Cabinets	Bob Frew, Keith Dugan, TJ Sawner	Kyle Clemetson		
306	12/20/2007	Email from T. Sawner to K. Clemetson re: Backcharge CA International for Ellis Ticket Work	Kyle Clemetson	TJ Sawner		
307	12/21/2007	Email from B. Frew to K. Clemetson, T. Sawner and D. Shen re: Backcharge CA International for HiTech Ticket Work	Kyle Clemetson, TJ Sawner, Daniel Shen, Bill Agosti, Pyard	Frew Bob Frew		
308	12/21/2007	Letter from CA International to Balfour Beatty re: Response to email 12/15/07 and letter 7/2/07 to Hi Tech invoices	TJ Sawner	Kyle Clemetson		
309	3/27/2008	Letter from Balfour Beatty to CA International re: CA International Default	David Shen	Bill Agosti	David Laib, David Hodnett, Bob Frew	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
310	4/28/2008	Balfour Beatty's Electronic Claim Notification to Zurich				
311	4/28/2008	Email from B. Agosti to J. Neill re: CA Subguard Claim Notification Form	Jason Neill	Bill Agosti		Beverly Hill, Bob Frew, TJ Sawner, Pyard
312	6/27/2008	Email from D. Laib to B. Frew re: CA International Punch List	David Laib	Bob Frew		
313	7/2/2008	Letter from Balfour Beatty to American Cabinet Refacers re: Original Abbreviated Subcontract Enclosed for Execution		Stewart Ferencz	Bill Agosti	
314	1/5/2009	Email from B. Frew to T. Sawner re: PY Cabinets	TJ Sawner	Bob Frew		
315	Various	File: CA International Subcontract - Manufactured Casework and Change Orders		C.A International	Bill Agosti	
316	3/15/2006	Request for Information from Balfour to DCS re: W7 Windows from Lvl's 8-11				
317	4/20/2006	Letter from Manganaro to Balfour Beatty re: CCB #10	Scott Vossler	Jeff Lawver		
318	5/4/2006	Fax from Manganaro to Balfour re: CCB# 10 Attached w/ S. Vossler's Handwritten Notes	Scott Vossler	Jeff Lawver		
319	7/13/2006	Notes Manganaro Goal				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
320	8/9/2006	Letter from Balfour Beatty to Comstock Potomac Yard re: CCB #10 & 10R- Tower Elements Revised	Daniel Stortman	Scott Vossler	Satish Bhide, Keith Dugan, Mike Carey	
321	9/11/2006	Fairfax Glass Proposal 10/10R	Scott Vossler	John Rogers		
322	9/26/2006	Letter from Manganaro to Balfour Beatty re: CCB #10 Revision #2	Scott Vossler	Jeff Lawyer		
323	10/18/2006	Change Order #8 to Fairfax Glass	Robert N. Caplan	Scott Vossler		
324	10/18/2006	Change Order #8 to Manganaro	Manganaro	Scott Vossler		
			Midatlantic			
325	2/28/2006	Email from J. Hogg to M. Anderson re: CCB# 46 - Unit Revisions	Marlon Anderson	Jeremy Hogg	Amanuel Ghebremedhin, A. Heredia, Kurt Weierstall	
326	3/29/2006	CCB #46				
327	3/31/2006	Request for Proposal #0211 to Subcontractors	Chris Weis	Scott Vossler		
328	4/11/2006	Email from S. Vossler to D. Laib re: Core Drill Matrix for CCB #46	David Laib, Bob Frew, Keith Dugan, Jeremy Hogg,	Scott Vossler	Vossler	
329	4/11/2006	Email from J. Hogg to M. Anderson re: CCB #46 - Unit Revisions - P# 0221	Marlon Anderson	Jeremy Hogg	Edwin Goyonaga-Arcena, Lee Carroll Sr, Scott Vossler, Bob Frew, Mike Carey, Keith Dugan	
330		Intentionally Left Blank				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Opposed CC'ed</u>	<u>Admitted Y/N</u>
331	4/14/2006	Email from E. Goyonaga to J. Hogg re: CCB #46 Unit Revisions - P# 0221	Jeremy Hogg	Edwin Goyonaga-Arcena	Marlon Anderson, Bob Frew, Keith Dugan, Carroll Lee Sr, Mike Carey, Scott Vossler, Bob Davis	
332	4/14/2006	Email from J. Hogg to M. Anderson, L. Carroll, B. Davis, E. Goyonaga, D. Laib, S. Vossler, B. Frew, M. Carey, K. Dugan, S. Thomas, G. Sweet and C. Henigin re: P# 0221 - CCB #46 CHANGES - Core Drilling / X-raying for New Sleeve Locations	Marlon Anderson, Lee Carroll Sr, Bob Davis, Edwin Goyonaga-Arcena	Jeremy Hogg	David Laib, Scott Vossler, Bob Frew	
333	4/19/2006	Email from S. Vossler to D. Laib, B. Frew, C. Weis, K. Dugan, M. Carey and C. Malacarne re: CA International - Cabinets and Countertop Status	Dan Strotman	Scott Vossler	David Laib, Bob Frew, Chris Weis, Keith Dugan, Mike Carey, Chuck Malacarne, Pyard	
334	4/20/2006	Email from B. Frew to S. Thomas re: Atlas coring CCB #46	Steve Thomas	Bob Frew	Chris Henigin, Jeremy Hogg, Keith Dugan, Scott	9/1/07 <i>Not used</i>
335	4/21/2006	Email from S. Vossler to D. Strotman re: CA International Meeting	Dan Strotman	Scott Vossler	Bob Frew, Chuck Malacarne, Doug Carter, Kurt Weierstall, Lou Williams, Satish Bhide, Pyard	
336	4/24/2006	Email from B. Lesperance to D. Shen, K. Rashid and K. Clemetson re: Land Bay Meeting	David Shen, Ken Rashid, Kyle Clemetson	Beth Lesperance		

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Officer CC'ed</u>	<u>Admitted Y/N</u>
337	4/26/2006	Spreadsheet re: Potomac Yard Land Bay Installation Schedule - Cabinets			9/9/09 Strotman	
338	4/28/2006	Email from D. Strotman to K. Clemetsen re: Funds to Expedite Cabinet Delivery	Kyle Clemetsen	Dan Strotman	Beth Lesperance, Scott Vossler, Kurt Weierstall, Michelle Brenn, Satish Bhide, Lou Williams, Chuck Malacne, David Laib, Renee Connally	
339	4/30/2006	Invoice from Brower, Kriz & Stynchcomb, LLC to Balfour Beatty re: April 2006	Michael Carey	Brower, Kriz, & Stynchcomb, LLC	9/9/09 Strotman	
340	5/1/2006	Email from C. Weis to B. Lesperance and K. Clemetsen re: West Tower Final Cabinet and Granite Selections	Beth Lesperance, Kyle Clemetsen	Chris Weis	Scott Vossler, <ccfpotomacemail@centexconstruction.com>	
341	5/1/2006	CCB #46R		Bob Cook		
342	5/3/2006	Email from M. Anderson to J. Hogg re: CCB #46 Charges	Jeremy Hogg	Anderson Marlon Davis	Scott Vossler, Lee Carroll Sr, Bob Davis	
343	5/8/2006	Email from J. Hogg to K. Duggan re: Atlas Issues	Keith Duggan	Anderson, Jeremy Hogg	Bob Frew, Fernando Prudencio, Scott Vossler, Steve Thomas	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Directed Cc'd</u>	<u>Admitted Y/N</u>
344	5/8/2006	Email from J. Hogg to B. Davis, S. Vossler and K. Dugan re: P# 0221 - CCB# 46R -MEP Unit Revisions	Anderson	Marlon Anderson	Bob Davis, Scott Vossler, Keith Dugan	
345	5/10/2006	Email from M. Anderson to J. Hogg re: P# 0221 - CCB# 46R Changes	Hogg	Marlon Anderson	Bob Davis	
346	5/11/2006	Email from K. Clemetson to B. Lesperance and D. Shen re: Cabinet Installation and Delivery Schedules	Beth Lesperance, Daniel Shen	Kyle Clemetson	Scott Vossler	
347	5/12/2006	Letter from Balfour to DiGregorio re: Authorization for Overtime Work on CCB #46 & 46R	Amann	Jeff Amann	Bob Frew, Chris Henigin, Fernando Prudencio, Gary Sweet, Jeremy Hogg, Keith Dugan, Mike Carey	
348	5/15/2006	Email from C. Weis to B. Lesperance and K. Clemetson re: Final Cabinet / Countertop Selections - East Tower	Lesperance, Clemetson	Beth Lesperance, Kyle Clemetson	Chris Weis	9/9/09 Sitter
349	5/15/2006	Submittal from Balfour Beatty to DCS and CA International re: Coordinated Cabinet Shop Drawings from 4/25/06 Meeting				
350	5/15/2006	Email from J. hogg to K. Dugan re: P# 0221 - CCB# 46R Changes	Dugan	Keith Dugan	Jeremy Hogg	Scott Vossler

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Entered CC'ed</u>	<u>Admitted Y/N</u>
351	5/17/2006	Transmittal from Balfour to Atlas re: Cabinet Shop Drawings Updated with CCB# 46R - West Tower	Marlon Anderson	Chris Weis		
352	5/22/2006	Email from J. Hogg to M. Anderson re: CCB# 057 - Unit MEP Changes (P# 0221)	Marlon Anderson	Jeremy Hogg	Lee Carroll Sr, Bob Davis, Joe Long, Bob Frew, Scott Vossler	
353	5/22/2006	Email from J. Hogg to M. Anderson re: P# 0221 - CCB# 46R - MEP Unit Revisions	Marlon Anderson	Anderson Marlon Anderson	Bob Davis, Lee Carroll Sr, Scott Vossler	
354	6/7/2006	Email from K. Clemetson to S. Vossler re: Cabinet Shipping Dates	Scott Vossler	Kyle Clemetson	9/7/09 S. Vossler	
355	6/15/2006	Letter from Balfour to Comstock re: Proposal# 0251A - Selective Schedule Improvement - Part 1 - Quick Ship Cabinets	Dan Strotman	Scott Vossler	Davis Scott, Satish Bhide	
356	6/15/2006	Email from D. Strotman to S. Vossler and K. Clemetson re: Proceed with Quick Shop Option on 4 containers	Scott Vossler, Kyle Clemetson	Dan Strotman	9/7/09 S. Vossler	
357	6/20/2006	Email from J. Hogg to M. Anderson re: Hot Issues List for This Week	Anderson Marlon Anderson	Jeremy Hogg	David Shen, Bob Frew, Chuck Malacarne, Lou Williams	
358	6/24/2006	Email from K. Dugan to L. Carroll re: Core Drilling	Lee Carroll Sr	Dugan Keith Dugan	Scott Vossler, Lee Carroll Sr, Joe Long, Bob Davis, Bob Frew	
					Marlon Anderson, Bob Davis, Bob Frew, Jeremy Hogg, Steven	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
359	6/25/2006	Email from D. Laib to K. Dugan re: Core Drilling	Keith Dugan, Bob Frew	David Laib	<Cinderme@aol.com>, Jeremy Hogg, Steve Thomas	
360	6/26/2006	Email from J. Hogg to M. Anderson re: P# 0221 - CCB# 46R and Field Supervision Issues	Anderson Marlon Anderson	Jeremy Hogg	Bob Davis, Lee Carroll Sr, Scott Vossler, Mike Carey, Bob Frew, Joe Long, Edwin Goyonaga, Keith Dugan, Chris Henigin, Steve Thomas, Ken Kilgore	
361	6/29/2006	Email from B. Lesperance to D. Shen re: Landbay Timeline	Daniel Shen	Beth Lesperance	Kyle Clemetson	
362	7/18/2006	Balfour Timeline of CA International Submittals and other Correspondence				
363	8/16/2006	Email from J. Hogg to M. Anderson re: P# 0221 - CCB# 46R - MEP Unit Revisions	Anderson Marlon Anderson	Jeremy Hogg	Bob Davis, Keith Dugan, Scott Vossler, Lee Carroll Sr	
364	12/12/2006	Email from J. Hogg to B. Zeka re: P# 0221 - CO #22, 22A, 23 & 23A - Revised 12/3/06	Anderson Brad Zeka	Jeremy Hogg	Marlon Anderson, James Wall, Bob Davis	
365	5/23/2007	Letter from Balfour to Comstock re: Proposal# 230- CCB# 46 & 46R - Revised Unit Plans	Dan Strutman	Bill Agosti		

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'd</u>	<u>Admitted Y/N</u>
366	6/28/2007	Change Order # 16 to Atlas		Bill Agosti		
367	5/14/2007	Change Order #16		Bill Agosti		
368	5/14/2007	Change Order #31		S. DiGregorio	Bill Agosti	
369		Intentionally Left Blank				
370		Intentionally Left Blank			9/26/07 10:11	
371	11/30/2006	Punchlist				
372	12/14/2006	Email from M. Carey to D. Laib re: Punch Lists on Priority Units		David Laib	Mike Carey	
373	1/3/2007	Email from C. Malacarne to D. Strotman re: Topics for Meeting with Centex	Dan Strotman	Chuck Malacarne		
374	2/21/2007	Letter from Balfour to CA International re: 24 Hour Notice to Adequately Staff & Perform Punchlist Work	Kyle Clemetson	Scott Vossler	Keith Dugan, Steve Thomas, Mark Kitzinger, David Laib, Bob Frew, Chris Weis, TJ Sawner	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
375	3/5/2007	Letter from Balfour to CA International re: 24 Hour Notice to Adequately Staff & Perform Punchlist Work	Kyle Clemenson	Scott Vossler	Keith Dugan, Steve Thomas, Mark Kitzinger, David Laib, Bob Frew, Chris Weis, TJ Sawner	
376	7/18/2007	Email from T. Sawner to D. Laib re: Executive Summary Week Ending 7/31/07	David Laib	TJ Sawner	Bob Frew, Bill Agosti, Chris Henigin, Keith Dugan	✓
377	7/30/2007	Memorandum from Warner to Comstock re: Exterior Architectural Punch List	Ed Kidwell	Stuart D. Wolfrey	9/10/09 - E. Kidwell	
378	11/12/2007	Letter from DCS to Comstock re: Punch List	Greg Benson	Doug Carter	9/10/09 - S. Brindle	✓
379		Intentionally Left Blank				
380	2/8/2008	Lien Free Completion Agreement Punchlist Updates			9/10/09 - E. Kidwell	✓
381	3/7/2008	Lien Free Completion Agreement Punchlist Updates			9/10/09 - E. Kidwell	✓
382	3/28/2008	Lien Free Completion Agreement Punchlist Updates			9/10/09 - E. Kidwell	✓
383	4/30/2008	Lien Free Completion Agreement Punchlist Updates			9/10/09 - E. Kidwell	✓
384	5/23/2008	Lien Free Completion Agreement Punchlist Updates			9/10/09 - E. Kidwell	✓
385	6/27/2008	Lien Free Completion Agreement Punchlist Updates			9/10/09 - E. Kidwell	✓

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
386	2/16/2009	Email from B. Frew to D. Laib re: Punchlist from 3/1/08 to 7/29/08	David Laib, TJ Sawner	Bob Frew		
387	3/9/2004	Fax from Charron to Atlas re: Flow Test and 3/4/04 Flow Test	Roberto Zenteno	Stephanie Kerber	911069- E. Jensen	✓
388	3/24/2004	Letter from Firefox to Atlas re: Fire Flow Evaluation	Roberto Zenteno	Eric N. Rice-Johnston		
389	4/15/2004	Fax from Charron to Comstock re: Fire Flow Data and 4/15/04 Fire Flow Test	John Dapogny	Jeryl Ann DiPietro	Jeff White, Edwin Goyonaga-Arcena	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>DiPietro, Jorge A. CC'ed</u>	<u>Admitted Y/N</u>
390	4/21/2004	Email from M. O'Hara to R. Zenteno, T. Schmitt, B. Jayatilake, A. Ghebremedhin, A. Beuberg, A. Hasan, C. Burk, D. Belliveau, D. Petty, E. Goyonaga, G. Ullerick, J. DiPietro, Jorge Florero, M. Slacin, D. Laib, S. Bhide, S. Kerber and T. Grannas re: Water Mains	Roberto Zenteno, Tr Schmitt, bjatilake@dcsdesig n.com, Amanuel Ghebremedhin, Amy Neuberg, Andy Hasan, Chris Burk, David Belliveau, David petty, Edwin Goyonaga-Arcena, Gunn Ullerick, Jery DiPietro, Jorge A. Florero, Mark Slacin, PE David Laib, Satish Bhide, Stephanie Kerber, Thomas Grannas	Mike O'Hara	9/23/2004 DiPietro, Jorge A. CC'ed	✓
391	4/23/2004	Email from D. Petty to Joe re: New Water Flow Test	Joe	David Petty	9/23/2004 DiPietro, Jorge A. CC'ed	✓

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
392	4/28/2004	Email from J. Dapogny to E. Goyonaga and D. Petty re: Water Requirement Calculation for Land Bay F	Edwin Goyonaga-Arcena, David Petty	John Dapogny	John (from Comstock), Tom Grannas, Stephanie Kerber, Mike O'Hara, Jeff White, Joe Mutinsky, Clayton Tock, Satish Bhide	
393	5/4/2004	Email from S. Kerber to J. Dapogny, D. Petty, S. Bhide, M. Slacin, E. Goyonaga re: Fire Flow Analysis	John Dapogny, David Petty, Satish Bhide, Mark Slacin, Edwin Goyonaga-Arcena	Stephanie Kerber	Jeryl DiPietro, Tom Grannas	
394	2/8/2005	Subcontract Agreement between Atlas Air Conditioning Company LP and Christian Klein Fire Sprinkler Design				
395	6/18/2005	Email from B. Gallagher to M. Carey and J. Hogg re: Sprinkler Items for Discussion	Mike Carey, Jeremy Hogg	Brian Gallagher	Scott Vossler, Bob Frew	
396	12/8/2005	Email from B. Gallagher to B. Davis re: Fire Inspector	Bob Davis	Brian Gallagher	Jeremy Hogg, Mike Carey, Steve Thomas, Gary Sweet, Scott	
397	12/12/2005	Email from S. Vossler to K. Kilgore re: Owner Atlas Issues				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
398	12/23/2005	Transmittal from Balfour to DCS re: Shop Drawings for Approval	Dave Lombardo, Davis Scott	Jeremy Hogg		
399	1/19/2006	Transmittal from Balfour to Atlas re: Shop Drawings, Submittals and Specifications for Revision	Marlon Anderson	Jeremy Hogg		
400	2/16/2006	Email from J. Hogg to M. Anderson re: Sprinkler Shop Drawings	Marlon Anderson	Jeremy Hogg		
401	3/8/2006	Substitution Request from M. Anderson to J. Hogg re: Fire Pump	Jeremy Hogg	Marlon Anderson		
402	3/8/2006	Transmittal from Atlas to Balfour re: Fire Pump Substitution	Jeremy Hogg	Marlon Anderson		
403	3/13/2006	Email from M. Anderson to J. Hogg re: Fire Protection Drawings - Design Calculation Clearly Noted on Cover Sheet	Jeremy Hogg	Marlon Anderson		
404	3/15/2006	Email from K. Weierstall to J. Hogg, M. Anderson, M. Brenn, Alberto and M. Slacin re: Arlington County Code Comments	Jeremy Hogg, Marlon Anderson, albertord@clesgroup.com, Michelle Brenn, Mark Slacin	Kurt Weierstall	Dan Strotman, Scott Vossler, Satish Bhide	
405	3/16/2006	Transmittal from Balfour to Atlas re: Submittals Returned	Marlon Anderson	Jeremy Hogg		
406	3/22/2006	Arlington County Permit Review Meeting Minutes				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
407	3/24/2006	Email and Letter from J. Hogg to E. Goyonaga re: Domestic and Fire Line Discrepancies	Edwin Goyonaga-Arcena	Jeremy Hogg	Marlon Anderson, Lee Carroll Sr, Ken Kilgore, Scott Vossler, Bob Frew	
408	3/24/2006	Email from B. Cook to J. Hogg re: Water Service	Jeremy Hogg	Bob Cook	9/9/09 S. Vossler, Dan Strotman, Kurt Weierstall, Scott Vossler	
409	3/29/2006	Email from D. Strotman to S. Vossler re: Water Service	Scott Vossler	Dan Strotman	9/9/09 S. Vossler, Bob Frew, Jeremy Hogg, Bob Cook	
410	3/29/2006	Email from S. Vossler to D. Strotman re: Water Service	Dan Strotman	Scott Vossler	Bob Cook, Bob Frew, Jeremy Hogg, Kurt Weierstall	
411	3/29/2006	Email from D. Strotman to S. Vossler re: Water Service	Scott Vossler	Dan Strotman	9/9/09 S. Vossler, Bob Cook, Bob Frew, Jeremy Hogg, Kurt Weierstall	
412	3/29/2006	Email from S. Vossler to D. Strotman re: Water Service	Dan Strotman	Scott Vossler	Marlon Anderson, Bob Cook, Bob Frew	
413	4/4/2006	Email from M. Anderson to J. Hogg re: Water Service	Jeremy Hogg	Anderson Marlon		

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
414	4/5/2006	Email from J. Hogg to E. Goyonaga re: Domestic and Fire Line Discrepancies	Edwin Goyonaga-Arcena	Jeremy Hogg	Marlon Anderson, Bob Frew, Edwin Goyonaga-Arcena, Ken Kilgore, Lee Carroll Sr, Scott	
415	4/5/2006	Email from E. Goyonaga to J. Hogg re: Domestic and Fire Line Discrepancies	Jeremy Hogg	Edwin Goyonaga-Arcena	Marlon Anderson, Bob Frew, Ken Kilgore, Lee Carroll Sr	
416	4/11/2006	Email from E. Goyonaga to M. Anderson re: PY Flow Test	Anderson Marlon	Edwin Goyonaga-Arcena	Marlon Anderson, Lee Carroll Sr, Scott Vossler	9/10/09- E. Johnston ✓
417	4/17/2006	Email from J. Hogg to E. Goyonaga re: Flow Test Fire Main	Edwin Goyonaga-Arcena	Jeremy Hogg		
418	4/18/2006	Email from E. Goyonaga to J. Hogg re: Flow Test Fire Main	Jeremy Hogg	Edwin Goyonaga-Arcena	David Laib	9/10/09- E. Johnston ✓
419	4/21/2006	Email from J. Hogg to E. Goyonaga re: Flow Test Fire Main	Edwin Goyonaga-Arcena	Jeremy Hogg	Marlon Anderson, Bob Frew, David Laib, Ken Kilgore, Lee Carroll Sr, Scott Vossler, David Laib	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>3/20/09 - Cc'd</u>	<u>Admitted Y/N</u>
420	4/25/2006	Email from J. Hogg to E. Goyonaga re: Fire Main and Fire Pump Issues	Edwin Goyonaga-Arcena	Jeremy Hogg	Marlon Anderson, Bob Frew, David Laib, Ken Kilgore	
421	4/25/2006	Email from B. Cook to J. Hogg re: Fire Pump	Jeremy Hogg	Bob Cook	9/10/09 - <i>✓</i> Dan Strotman, Kurt Weierstall, Scott Vossler	
422	5/1/2006	Fax from Balfour to Arlington County re: Fire Service Test for Potomac Yard	Howard McBride	Jeremy Hogg	9/10/09 - <i>✓</i> Johnston	
423	5/2/2006	Email from J. Hogg to B. Cook, D. Strotman and K. Weierstall re: Fire Service Modifications	Bob Cook, Dan Strotman, Kurt Weierstall	Jeremy Hogg	Marlon Anderson, Scott Vossler	
424	5/3/2006	Email from J. Hogg to M. Anderson re: Fire Service Modifications	Marlon Anderson	Jeremy Hogg	Bob Davis, Mike Hubbard, Edwin Goyonaga-Arcena, Lee Carroll Sr	
425	5/8/2006	Email from M. Anderson to J. Hogg re: Fire Protection Systems - Revisions to Risers	Jeremy Hogg	Marlon Anderson	9/10/09 - <i>✓</i> Johnston	
426	5/9/2006	Email from B. Cook to J. Hogg re: Sprinkler Riser	Jeremy Hogg	Bob Cook	9/10/09 - <i>✓</i> Strotman, Kurt Weierstall, Scott Vossler	
427	5/16/2006	Email from S. Vossler to M. Anderson re: Lack of Sprinkler Installation at Units	Marlon Anderson	Ver <i>✓</i> Scott Vossler	Bob Davis, Jeremy Hogg, Joe Long, Keith Dugan	
428	5/17/2006	Email from D. Strotman to E. Goyonaga re: Comstock Concerns	Dan Strotman	Edwin Goyonaga-Arcena	Jeremy Hogg, Lee Carroll Sr, Ken Kilgore	

Exhibit No.	Date	Description	To	From	Offered CC'ed	Admitted Y/N
429	5/19/2006	Email from E. Goyonaga to M. Anderson and D. Strotman re: Atlas Status	Marlon Anderson, Dan Strotman	Edwin Goyonaga-Arcena	✓ 9/17/06 10:54 AM	Jeremy Hogg, Lee Carroll Sr, Ken Kilgore
430	5/31/2006	Notes re: County Questions			Vossler	
431	6/6/2006	Email from E. Goyonaga to S. Vossler re: Sprinkler Permit	Scott Vossler	Edwin Goyonaga-Arcena	✓ 9/17/06 10:54 AM	Marlon Anderson, Bob Frew, <ccfpotomacemail@centexconstruction.com>
432	6/7/2006	Email from E. Goyonaga to S. Vossler re: Sprinkler Permit	Scott Vossler	Edwin Goyonaga-Arcena	✓ 9/17/06 10:54 AM	Marlon Anderson, Bob Frew, <ccfpotomacemail@centexconstruction.com>, Jeremy Hogg, Lee Carroll Sr, Keith Dugan
433	6/7/2006	Email from D. Strotman to S. Vossler re: Sprinkler Permit	Scott Vossler	Dan Strotman	✓ 9/17/06 10:54 AM	Bob Frew, Edwin Goyonaga-Arcena, Marlon Anderson, Chuck Malacarne, Lou Williams, Bob Cook

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'd</u>	<u>Admitted Y/N</u>
434	6/14/2006	Email from S. Vossler to D. Strotman re: Update on Plumbing Inspection & Sprinkler Drawings	Dan Strotman	Scott Vossler	David Laib, Bob Frew, Keith Dugan, Lou Williams, Chuck Malacarne, Bob Cook, Kurt Weierstall, Scott Thomas, Jeremy Hogg, <ccfpotomacemail@centexconstruction.com>	
435	6/16/2006	Email from J. Hogg to B. Cook, D. Strotman and K. Weierstall S. Vossler, B. Frew and D. Laib re: Sprinkler Drawings for 2nd-6th Floor West	Bob Cook, Dan Strotman, Kurt Weierstall, Scott Vossler, Bob Frew, David Laib	Jeremy Hogg	Marlon Anderson	
436	7/7/2006	Transmittal from Atlas to Arlington County re: Revised Drawings for Floors 2-6 of West Tower	JD Martin	Marlon Anderson		
437	7/14/2006	Email from B. Frew to L. Carroll re: Atlas' Lack of Progress	Lee Carroll Sr	Bob Frew	Keith Dugan, Jeremy Hogg, Scott Vossler, Mike	
438	7/19/2006	Email from J. Hogg to M. Anderson re: Sprinkler Inspection Schedule	Marlon Anderson	Jeremy Hogg		
439	7/19/2006	Email from J. Hogg to M. Anderson re: Sprinkler Inspections and Permit Questions	Marlon Anderson	Jeremy Hogg	Lee Carroll Sr, Bob Frew, Scott Vossler, Bob Davis	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CCed</u>	<u>Admitted Y/N</u>
440	7/21/2006	Email from J. Hogg to M. Anderson re: Sprinkler Inspection and Submission of 3-6W Sprinkler Drawings	Marlon Anderson	Jeremy Hogg	Bob Davis, Keith Dugan, Scott Vossler	
441	7/21/2006	Email from J. Hogg to M. Anderson re: Dates for Inspection Completion	Marlon Anderson	Jeremy Hogg	7/10/06 - E. J. Janssen Bob Cook, Dan Strotman, Kurt Weierstall	✓
442	7/24/2006	Email from J. Hogg to M. Anderson re: Fire Flow Test Results	Marlon Anderson	Jeremy Hogg		
443	7/24/2006	Email from J. Hogg to M. Anderson re: Fire Protection Drawings and Permits	Marlon Anderson	Jeremy Hogg		
444	7/24/2006	Email from J. Hogg to M. Anderson re: Fire Protection Drawings and Permits	Marlon Anderson	Jeremy Hogg		
445	7/26/2006	Email from J. Hogg to M. Anderson re: Completion of Updated Sprinkler Drawings	Marlon Anderson	Jeremy Hogg	Edwin Goyonaga-Arcena, Bob Frew, Lee Carroll Sr	
446	7/26/2006	Email from B. Frew to J. Hogg re: Completion of Updated Sprinkler Drawings	Jeremy Hogg	Bob Frew		
447	7/31/2006	Email from M. Anderson to J. Hogg re: Hydro for Thursday	Jeremy Hogg	Marlon Anderson	Keith Dugan, Scott Vossler, Bob Frew	
448	8/1/2006	Email from S. Vossler to D. Strotman re: Sprinkler Hydro Update	Dan Strotman	Scott Vossler	David Laib, Bob Frew, Keith Dugan, Mike Carey, Potomac Yard Email@Centex	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>3/10/09 CC'ed</u>	<u>Admitted Y/N</u>
449	8/2/2006	Email from K. Kilgore to S. Vossler re: Atlas Fire Protection Issues	Scott Vossler	Ken Kilgore	9/9/09 S. Vossler	✓
450	8/2/2006	Email from K. Kilgore to S. Vossler re: Atlas Fire Protection Issues	Jeremy Hogg	Bob Frew	9/9/09 David Laib, Bob Frew, Jeremy Hogg, <ccfpotomacemail@centexconst ruction.com>, Karnauch	✓
451	8/2/2006	Email from J. Hogg to B. Frew re: Sprinkler Inspection	Bob Frew	Jeremy Hogg	Scott Vossler	✓
452	8/4/2006	Transmittal from Atlas to Balfour re: Revised F.P. Drawings	Jeremy Hogg	Marlon Anderson	9/10/09- E. Jones ✓	✓
453	8/7/2006	Atlas Fire Protection - Hydraulic Calculations	Ken Kilgore	Scott Vossler	Marlon Anderson, Bob Frew, <ccfpotomacemail@centexconst ruction.com>, David Laib	✓
454	8/9/2006	Email from S. Vossler to K. Kilgore re: Fire Protection Issues				
455	8/10/2006	Balfour Spreadsheet re: Path to Sprinkler Inspection by Floor				
456	8/10/2006	Email from S. Vossler to D. Laib, B. Frew, K. Dugan and J. Hogg re: Notice of Delay	Ken Kilgore	David Laib, Bob Frew, Keith Dugan, Jeremy Hogg, Scott Vossler		
457	8/10/2006	Letter from Balfour to Atlas re: Notice of Delay	Scott Vossler			

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
458	8/14/2006	Email from J. Hogg to M. Anderson re: Sprinkler Calculation (6th Floor East Building)	Marlon Anderson	Jeremy Hogg	Bob Frew, Ken Kilgore, Lee Carroll Sr, Mike Hubbard	
459	8/15/2006	Email from J. Hogg to M. Anderson re: Sprinkler Work that Did not Pass Hydro on 8/14/06	Marlon Anderson	Jeremy Hogg	Chris Henigin, Fernando Prudencio, Gary Sweet, Jon Johnson, Keith Dugan, Mike Braunscheidel, Steve Thomas, Scott Vossler, Bob Frew, David Laib, Lee Carroll Sr, Bob Davis, Mike Hubbard	
460	8/18/2006	Email from K. Dugan to M. Anderson re: Sprinkler Hydro for 6W	Marlon Anderson	Keith Dugan	Jeremy Hogg	
461	8/21/2006	Email from D. Laib to J. Hogg re: East Tower Floors 3-6	Jeremy Hogg	David Laib	Keith Dugan, Fernando Prudencio, Chris Henigin, Mark Kitzinger	
462	8/22/2006	Email from S. Vossler to K. Kilgore re: Atlas Behind Schedule	Ken Kilgore	Scott Vossler	Frank	
463	8/22/2006	Email from B. Frew to W. Gillespie re: Sprinkler Drawing Submission	Wayne Gillespie	Bob Frew	Marlon Anderson, Ken Kilgore, Lee Carroll Sr, Scott Vossler	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
464	8/25/2006	Email from J. Hogg to W. Gillespie re: Balance of Sprinkler Package	Wayne Gillespie	Jeremy Hogg	Bob Frew, David Laib, Scott Vossler	
465	8/25/2006	Email from J. Hogg to M. Anderson re: Atlas Hot List for Monday Morning	Marlon Anderson	Jeremy Hogg	Lee Carroll Sr, Bob Frew, Scott Vossler	
466*	8/29/2006	Email from B. Cook to J. Hogg re "Fire Protection West Tower 7-11"	Jeremy Hogg	Bob Cook	Scott Vossler, Bob Frew, Keith Dugan 9/2/07 2:25:27	
467	8/29/2006	Email from M. Anderson to J. Hogg, K. Dugan and S. Vossler re: Sprinkler Drawings from Houston	Jeremy Hogg, Keith Dugan, Scott Vossler	Marlon Anderson	Jody Vowell, Ken Kilgore, Lee Carroll Wayne Gillespie	
468	8/30/2006	Email from J. Hogg to D. Laib, M. Carey, B. Frew, K. Dugan, C. Henigin and S. Thomas re: Path to Sprinkler Inspection by Floor - Update	David Laib, Mike Carey, Bob Frew, Keith Dugan, Chris Henigin, Steve Thomas			
469	8/31/2006	Email from J. Hogg to M. Anderson re: 9-11W Hydros	Marlon Anderson	Jeremy Hogg	Bob Davis, Mike Hubbard, Lee Carroll Sr	
470	9/1/2006	Email from B. Davis to L. Carroll, J. Hogg and M. Anderson re: 9-11W Hydros	Lee Carroll Sr, Jeremy Hogg, Marlon Anderson	Bob Davis	Mike Hubbard, Keith Dugan, Bob Frew	
471	9/10/2006	Atlas Fire Protection 11th Floor - Hydraulic Calculations			9/10/09 - E. Johnson	✓

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
472	9/11/2006	Email from J. Hogg to W. Gillespie re: Sprinkler Drawings for 1W, Garage and 1E	Wayne Gillespie	Jeremy Hogg	Ken Kilgore, Lee Carroll Sr, Jody Vowell, Marlon Anderson, Mike Hubbard, Bob Davis	
473	9/13/2006	Email from B. Cook to J. Hogg re: Sprinkler Submissions	Jeremy Hogg	Bob Cook	Dan Strotman, Bob Frew, Scott Vossler	
474	9/15/2006	Email from J. Hogg to D. Laib re: Atlas - Sprinkler Submission	David Laib	Jeremy Hogg	Bob Frew, Keith Dugan, Mike Carey, Scott Vossler	
475	9/18/2006	Email from J. Hogg to M. Hubbard re: Misc Sprinkler Issues	Mike Hubbard	Jeremy Hogg	Scott Vossler, Bob Frew, Marlon Anderson, Lee Carroll Sr	
476	9/20/2006	Email from J. Hogg to W. Gillespie re: Misc Sprinkler Issues	Wayne Gillespie	Jeremy Hogg	Marlon Anderson, albertord@clesgroup.com	
477	9/20/2006	Email from J. Hogg to W. Gillespie re: Misc Sprinkler Issues - Balance of Sprinkler Package	Wayne Gillespie	Jeremy Hogg	Marlon Anderson, Mike Hubbard, Nate Mayo, Lee Carroll Sr, albertord@clesgroup.com	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Defendant CC'ed</u>	<u>Admitted Y/N</u>
478	9/22/2006	Email from J. Hogg to D. Laib re: East Tower Permit	David Laib	Jeremy Hogg	Bob Frew, Chris Henigin, Keith Dugan, Scott Vossler, Steve Thomas, Marlon Anderson, Wayne Gillespie, Mike Hubbard	
479	10/2/2006	Email from S. Vossler to B. Cook re: Sprinkler Drawings	Bob Cook	Scott Vossler	Bob Frew, Dan Strotman, Jeremy Hogg, Keith Dugan	
480	10/2/2006	Email from D. Strotman to J. Martin re: Sprinkler Drawing Review	JD Martin	Dan Strotman	9/2/2006 Bob Frew, Bob Cook, Keith Dugan	✓
481	10/2/2006	Email from D. Strotman to J. Martin re: Sprinkler Drawing Review	JD Martin	Dan Strotman	9/10/06 - JD Martin Bob Frew, Bob Cook, Jeremy Hogg, Marlon Anderson	✓
482	10/3/2006	Email from D. Strotman to B. Frew re: Sprinkler Drawing Review	Bob Frew	Dan Strotman	Bob Cook, Keith Dugan, Marlon Anderson	
483	10/3/2006	Email from D. Strotman to B. Frew re: Sprinkler Drawing Review	Bob Frew	Dan Strotman	9/10/06 - JD Martin Bob Cook, Marlon Anderson, Jeremy Hogg	
484	10/10/2006	Subcontract Agreement between Atlas Air Conditioning Company LP and Firefox				
485	10/16/2006	Balfour Spreadsheet re: Path to Sprinkler Inspection by Floor				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>Directed CC'ed</u>	<u>Admitted Y/N</u>
486	11/2/2006	Email from J. Hogg to M. Anderson re: Garage Hydros and Approved Drawings	Marlon Anderson	Jeremy Hogg	Lee Carroll Sr, Keith Dugan, Mike Carey, Scott Vossler, David Laib, Jody Vowell, Ken Kilgore, Tom Weiser, James Wall, Dan Strotman, Bob Cook	✓
487	11/3/2006	Email from D. Strotman to K. Kilgore re: Garage Hydros	Ken Kilgore	Dan Strotman	Lee Carroll Sr, Marlon Anderson, Tom Weiser, Bob Frew, Scott Vossler, Keith Dugan, Bob Cook, Chuck Malacane, Greg Benson	9/9/09 Sent
488	11/9/2006	Email from W. Gillespie to B. Frew and M. Anderson re: Complete Record Set of West Building	Wayne Gillespie	Bob Frew, Marlon Anderson	Jeremy Hogg, Ken Kilgore, Lee Carroll Sr, Nate Mayo, Scott Vossler, Jeremy Hogg, Keith Dugan, Bob Cook, Jody Vowell, Jonathan Hale, Mike Hubbard, Cesar Olguin, Joshua Garcia, Paola Villena	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
489	11/14/2006	Email from B. Frew to W. Gillespie re: Complete Record Set of West Building	Wayne Gillespie	Bob Frew	Marlon Anderson, Bob Cook, Cesar Olguin, Joshua Garcia, Jonathan Hale, Jeremy Hogg, Jody Vowell, Keith Dugan, Ken Kilgore, Lee Carroll Sr, Mike Hubbard, Nate Mayo, Paola Villena, Scott Vossler	
490	11/22/2006	Email from J. Hogg to B. Frew re: Rehydro Floors 2, 3, 4, 5	Bob Frew	Jeremy Hogg	Marlon Anderson, <Afiebig@centexconstruction.com>, Fernando Prudencio, Jody Vowell, James Wall, Lee Carroll Sr, Mark Kitzinger, Mike Hubbard, Mike Carey, Scott Vossler, Steve Thomas, Tommy Gallagher, Tom Weiser	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
491	12/11/2006	Email from J. Hogg to W. Gillespie re: Rejected 2-6E Sprinkler Drawings	Wayne Gillespie	Jeremy Hogg	James Wall, Jody Vowell, Marlon Anderson, Mike Hubbard, Scott Vossler, Bob Frew, Keith Dugan, Chris Henigin, Philip Alders, Lee Carroll Sr	
492	12/12/2006	Email from B. Frew to W. Gillespie re: First Floor East Sprinkler Drawings	Wayne Gillespie	Bob Frew	Marlon Anderson, Chris Henigin, Jonathan Hale, Jeremy Hogg, Jody Vowell, James Wall, Keith Dugan, Ken Kilgore, Lee Carroll Sr, Mike Hubbard, Philip Alders, Scott Vossler	
493	12/14/2006	Email from J. Hogg to N. Mayo re: Sprinkler Drawings 1E and 2E	Nate Mayo	Jeremy Hogg	James Wall, Wayne Gillespie, Mike Hubbard, Marlon Anderson, Jody Vowell, Scott Vossler, Bob Frew	
494	12/19/2006	Email from J. Hogg to W. Gillespie re: Sprinkler Drawing Comments - 1E	Wayne Gillespie	Jeremy Hogg	Nate Mayo, Jody Vowell, Marlon Anderson, Scott Vossler, James Wall	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
495	1/12/2007	Email from B. Frew to M. Anderson and J. Wall re: Sprinkler Drawing Update	Marion Anderson, James Wall	Bob Frew	Chris Henigin, Keith Dugan, Scott Vossler, Jeremy Hogg	
496	2/6/2007	Email from K. Kilgore to D. Laib re: Sprinkler Documentation and Records	David Laib	Ken Kilgore	Jody Vowell, Rusty Bay, Lee Carroll Sr, Edwin Goyonaga-Arcena, Jonathan Hale, Wayne Gillespie, Terry Armstrong, Brian Dean, Todd P. Clark	
497	2/12/2007	Balfour Spreadsheet re: Path to Sprinkler Inspection by Floor				
498	3/23/2007	Balfour Spreadsheet re: Path to Sprinkler Inspection by Floor				
499	3/24/2007	Email from D. Laib to S. Vossler re: Internal Memo - Meeting with JD Martin	Scott Vossler	David Laib	Bob Frew	
500	1/4/2008	Atlas Delay Analysis - West Building				
501	1/4/2008	Atlas Delay Analysis- East Building				
502	Various	Spreadsheet re: Sprinkler Drawing Submissions				9/19/09 Admitted

<u>Exhibit</u> <u>No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
503-511		Intentionally Left Blank				
512	1/18/2005	Request for Information #0015 - Exterior Wall System				
513	3/22/2005	Letter from Balfour to Comstock re: CDC Report				
514	4/1/2005	Email from T. Karwoski to S. Bhide, M. Slacin, A. Watanabe re: Review of Tyvek/DensGlass Wall System. Meeting 3/31/2005				
515	12/23/2005	Letter from Balfour to Comstock re: Proposed Skin Assembly	<i>Carey</i>			
516	12/23/2005	Email from M. Carey to D. Laib re: Skin Letter				
517	1/3/2006	Letter from DCS to Comstock re: Proposed Skin Assembly by Balfour				
518	1/4/2006	Request for Proposal 178				
519	1/18/2006	Email from C. Malacarne to D. Strotman re: Exterior Wall Detail	Dan Strotman	Chuck Malacarne		
520	1/23/2006	Cavity Wall Construction Resolution Meeting Agenda				
521	1/23/2006	Request for Information #0341 from Balfour to DCS				
522	2/13/2006	Letter from Balfour to Comstock re: Notice of Delay - Lack of Skin Details				
523	2/15/2006	CCB #49				
524	2/20/2006	Email from M. Carey to B. Caplan re: Butyl Caulk	Bob Caplan	Mike Carey		
525	2/23/2006	CCB #49R				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
526	3/8/2006	Letter from Fairfax Glass to Balfour re: 3/7/06 Meeting On Site	Scott Vossler	Bob Caplan		
527	3/9/2006	Email from M. Carey to W. Monroe re: Masonry Target Dates and Other Information	W. Monroe	Mike Carey	Jeff Lawver, Keith Dugan, Bob Frew, Scott Vossler, Jon Johnson, Steve Thomas, Gary Sweet	
528	3/15/2006	Email from W. Monroe to J. Lawver re: Masonry Dates	Jeff Lawver	Walter Monroe		
529	3/17/2006	Letter from LC Smith to Manganaro re: Reply to 3/10/06 Letter	Jeff Lawver	Ken Lane	Pete Jacques, Lynne DeWitt, Paul Furman	
530	3/21/2006	Spreadsheet re: Crew Breakdown				
531	3/21/2006	Fax from Balfour to Fairfax Glass re: Response to your email dated 3/20/06	Bob Caplan	Mike Carey		
532	3/22/2006	Letter from Fairfax Glass to Balfour re: Response to Letter Dated 3/21/06	Mike Carey	Bob Caplan		
533	3/24/2006	Letter from Balfour to Manganaro re: Commitment Dates for Exterior masonry	Walter Monroe	Mike Carey	Bob Frew, David Laib, Keith Dugan, Scott Vossler, Gary Hudak, Jeff Lawver, Mike Rogers, Tom Vagrin	
534	3/30/2006	Schedule Potomac Yard Exterior Masonry				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
535	3/30/2006	Fax from Balfour to Manganaro re: Schedule	Jeff Lawver	Keith Dugan		
536	3/31/2006	Fax from Balfour to Manganaro re: Schedule	Walter Monroe	Mike Carey	Keith Dugan, Scott Vossler, Bob Frew	
537	4/7/2006	Email from M. Carey to B. Caplan, S. DiGregorio and J. Lawver re: REVISED Window Installation Sequence	Bob Caplan, S. DiGregorio, and Jeff Lawver	Mike Carey	Keith Dugan, Scott Vossler, Jon Johnson, Steve Thomas, Gary Sweet, Mike Braunscheidel, David Laib, Bob Frew	
538	4/7/2006	Email from S. Vossler to K. Dugan, M. Carey, J. Johnson, B. Frew, J. Hogg and Gary re: Status of Masonry	Keith Dugan, Mike Carey, Jon Johnson, Bob Frew, Scott Vossler, Jeremy Hogg, Gary Sweet		Scott Vossler	
539	4/19/2006	Skin Trades Meeting Agenda				
540	4/19/2006	Spreadsheet re: Manganaro Schedule				
541	4/24/2006	Email from P. Brough to C. Malacarne and D. Strotman re: Review of Balfour Schedule Revisions	Chuck Malacarne, Dan Strotman	Paul Brough	Lou Williams	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
542	4/28/2006	Email from S. Vossler to W. Monroe and J. Lawyer re: 4/27/06 Schedule Meeting Follow Up	Walter Monroe, Jeff Lawyer	Scott Vossler	Bob Frew, Keith Dugan, Potomac Yard Email@Centex, David Laib	
543	5/3/2006	Email from M. Carey to B. Caplan re: Manpower and Materials	Bob Caplan	Mike Carey	Scott Vossler, Bob Frew, Keith Dugan, Steve Thomas, Jon Johnson, <ccfpotomacemail@centexconstruction.com>	
544	5/3/2006	Email from P. Brough to C. Malacarne and D. Strotman re: Eclipse Completion Dates				
545	5/4/2006	Spreadsheet re: Manganaro Completion Dates per Meeting 5/4/06				
546	5/11/2006	Email from S. Vossler to W. Monroe re: Masonry Schedule Meeting Update	Walter Monroe	Scott Vossler	David Laib, Bob Frew, Keith Dugan, Mike Carey, Chris Henigin, Steven	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
547	5/15/2006	Fax from Balfour to Manganaro re: RFI# 441 Distribution and Associated Information	Jeff Lawyer	Mike Carey	Bob Frew, Chris Henigin, Fernando Prudencio, Gary Sweet, Jon Johnson, Keith Dugan, Scott Vossler, Steve Thomas, Bob Caplan, Owen Oberg, Jeff Lawyer, Mike Rogers, Harkus Harrek, S. DiGregorio and Son, Jeff Amann	
548	5/26/2006	Fax from Balfour to Fairfax re: Final Installation	Bob Caplan	Keith Dugan		
549	5/26/2006	Email from K. Dugan to B. Caplan re: window fins and crew	Bob <Fairfaxglass.com>	Keith Dugan	Bob Frew, Scott Vossler, David Laib	
550	5/30/2006	Email from M. Carey to D. Strotman re: June 1 Update	Dan Strotman	Mike Carey	Scott Vossler, Paul Brough, J. Guevara	
551	6/1/2006	Manganaro Notes re: Deadlines				
552	6/7/2006	Email from M. Carey to B. Caplan re: 2 West Shortages	Bob Caplan	Mike Carey	<Les@fairfaxglass.com>, Steve Thomas, Keith Dugan, Scott Vossler	

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
553	6/8/2006	Email from M. Carey to B. Caplan re: 3 West Shortages	Bob Caplan	Mike Carey	<Les@fairfaxglass.com>, Keith Dugan, Steve Thomas, Scott Vossler, Jon Johnson	
554	6/13/2006	Email from M. Carey to D. Laib re: 3 West Shortages	David Laib	Mike Carey	<i>4/29/06</i>	
555	6/13/2006	Email from S. Vossler t D. Laib re: 3 West Shortages	Scott Vossler	David Laib	Bob Frew, Keith Dugan, Mike Carey	
556	6/17/2006	Manganaro Completion Dates				
557	6/28/2006	Letter from Fairfax to Balfour re: Damaged Glass	Mike Carey	Les Patterson		
558	7/11/2006	Fax from Balfour to Fairfax Glass re: Window and Patio/Slider Door Deficiencies	Bob Caplan	Mike Carey		
559	7/13/2006	Email from K. Dugan to B. Caplan re: Manpower				
560	7/14/2006	Email from S. Vossler to B. Caplan re: Mortar on Window Frames				
561	7/21/2006	Email from B. Caplan to SC Glass re: Project Staffing				

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
562	7/31/2006	Letter from LC Smith to Mangano re: Past Due Balances \$16,743.56	Jeff Lawver	Ken Lane		
563	7/31/2006	Letter from Mangano to LC Smith re: Brick Payment	Ken Lane	Jeff Lawver		
564	7/31/2006	Email from B. Caplan to SC Glass re: Project Staffing				
565	8/1/2006	Letter from Mangano to LC Smith re: replacement brick	Ken Lane	Manganaro		
566	8/1/2006	Email from B. Caplan to Architectural Windows re: schedule	Ron <ron@architecturewindows.info>	Bob Caplan		
567	8/1/2006	Email from B. Caplan to M. Carey re: Thermal Windows Trip	Bob Caplan	Mike Carey		
568	9/5/2006	Fax and Letter from Balfour to Fairfax re: Notice of Delay and Damages				Carry

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
569	9/6/2006	Email from M. Carey to D. Laib re: Fairfax Glass Issues	Mike Carey			
570	9/13/2006	Notes from Mangano Meeting				
571	9/14/2006	Email from B. Caplan to SC Glass re: Project Staffing	Bob Caplan	scglass@planetel.net		
572	10/19/2006	Email from B. Caplan to SC Glass re: Project Staffing	Bob Caplan	scglass@planetel.net		
573	10/20/2006	Mangano List of Hot Items				
574	10/30/2006	Email from B. Caplan to SC Glass re: Project Staffing	Bob Caplan	scglass@planetel.net		
575	12/18/2006	Email from K. Dugan to M. Carey re: Meeting Notes with Owen Last Week	Mike Carey	Keith Dugan	Andy Fiebig, Chris Henigin, Fernando Prudencio, <john@fairfaxglass.com>, Mark Kitzinger, Steve Thomas, <tom@fairfaxglass.com>	

## Comstock's Trial Exhibit List

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'ed</u>	<u>Admitted Y/N</u>
576	1/9/2007	Email from M. Carey to Tom re: West Tower Open Items and Meeting this Friday to Review East Tower Completion	<tom@fairfaxglass.com>	Mike Carey		Steve Thomas, Keith Dugan, Scott Vossler, Chris Henigin, Mark Kitzinger, <bob@fairfaxglass.com>, >Afiebig@centexconstruction.com>, Fernando Prudencio, Bob Frew
577	2/14/2007	Fax from Balfour to Manganaro re: P#0516 - Backcharge to Manganaro for Scratched Glass	Jeff Lawyer	TJ Sawner		
578	3/26/2007	Fax from LC Smith to Manganaro re: Shipment Hold	Abdul	Lynne DeWitt		
579	4/2/2007	Fax from Balfour to Manganaro re: P#0516 - Backcharge to Manganaro for Scratched Glass	Jeff Lawyer Frew	TJ Sawner		
580	5/16/2007	Email from J. Mulcahy to B. Agosti re: Scratched Glass Issue	Bill Agosti	Jeanise Mulcahy		Beverly Hill, Bob Frew, <ccfpotomacemail@centexconstruction.com>
581	11/28/2007	Email from B. Agosti to B. Frew re: Scratched Glass Claim	Bob Frew, TJ Sawner	Bill Agosti		
582	11/30/2007	Letter from Balfour to Engle Martin re: Scratched Glass Claim	Gerry Griffin Frew	Bill Agosti		
583	12/10/2007	Letter from Engle Martin to Balfour re: Reported Scratched Glass	Beverly Hill	Gerry Griffin		Beverly Hill, Jeanise Mulcahy, Jeanise Mulcahy, Barry K. Tarnofsky

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CC'd</u>	<u>Admitted Y/N</u>
584	1/28/2008	Spreadsheet re: FFX Glass Payment Status				
585	2/7/2008	Change Order #22 to Fairfax Glass				
586	2/27/2008	Email from T. Sawner to B. Frew re: FFX Glass Outstanding Issues	Frew	Fairfax Glass		
587	3/20/2008	Email from D. Laib to B. Frew re: Arch Claim #36390	Bob Frew	Bill Agosti		
588	5/22/2008	Email from B. Agosti to B. Frew re: Scratched Glass Update	Bob Frew	TJ Sawner		
589	5/23/2008	Letter from Balfour to Manganaro re: P#770- Perform T&M Masonry Repairs	Bob Frew	David Laib		
590	6/8/2008	Unit 651 Leak History	Walter Monroe	Bill Agosti		
591	6/16/2008	Email from B. Frew to B. Agosti re: Lexington 8753930	Bill Agosti, TJ Sawner	Bob Frew		
592	6/26/2008	Spreadsheet re: Manganaro Payment Status				
593	7/11/2008	Change Order #23 to Fairfax Glass				
594	7/14/2008	Email from B. Agosti to B. Hill re: FFX Glass P#774	Bob Caplan	Bill Agosti		
595	8/15/2008	Email from D. Laib to D. Kole re: Scratched Glass Amounts to be Recovered	Bill Agosti	Beverly Hill	Bob Frew, TJ Sawner, Pyard <Pyard@Balfourbeattyus.com>	
596	9/1/2008	Email from B. Hill to T. Sawner re: SOL Revised	David Kole	David Laib		
			TJ Sawner	Beverly Hill		

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>	<u>To</u>	<u>From</u>	<u>CCed</u>	<u>Admitted Y/N</u>
597	9/25/2008	Email from B. Frew to B. Caplan re: Glass for PY Landbay F	Bob Caplan	Bob Frew	<i>Offered</i>	
598	3/31/2006	Letter from Comstock Homes to Balfour re: Unit Glass and Screens	David Laib	Dale Spradlin	Greg Benson, Ed Kidwell, Bob Caplan, Alisa Wrase	
599	2/25/2004	Fairfax Glass Spreadsheet re: Change Orders				
600	Various	Photographs of Warner Construction Consultants, Inc. (provided electronically)				
601	Various	Photographs of Wiss Janney Elstner Associates, Inc. (provided electronically)				

• 602 *Resume Lewis Williams*

• 603 *Resume Eric Rice-Jensen*

• 604 *Resume Satish Bhide*

• 605 *Resume Satish Bhide*

• 606 *Resume - Eric Rice-Jensen*

• 607 *Resume - Satish Bhide*

✓ *9/8/09*  
✓ *9/8/09*  
✓ *9/9/09*  
✓ *9/9/09*  
✓ *9/9/09*  
✓ *9/9/09*

✓ *9/10/09 - E. Jensen*  
✓ *9/10/09 - S. Bhide*